



Inglewood Shire Council

Ordinary Meeting of Council

Minutes

Meeting held in the Council Chambers

Cnr Albert and Elizabeth Streets

Inglewood Queensland 4387

Monday 21 May, 2007

Monday, 21 May, 2007 – 9:40 a.m.

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INGLEWOOD SHIRE COUNCIL
MINUTES OF THE ORDINARY MEETING OF COUNCIL

21 May, 2007

Present: Councillor J White (Mayor)
Councillor RJ Pietsch (Deputy Mayor)
Councillor L Cox
Councillor L Dawson
Councillor B Johnson
Councillor R McDougall
Councillor M Moffitt
Councillor T Tait
Councillor D Thompson
Don Ramsland (Chief Executive Officer)

Officers in
Attendance

The following officers attended the meeting at various times during the course of proceedings as recorded in the minutes.

<i>Dave Burges</i>	<i>Consulting Engineer</i>
<i>Vince Stephens</i>	<i>Environmental Health Officer</i>
<i>Bill Carr</i>	<i>Works Manager</i>
<i>Dave Hayward</i>	<i>Community Development Officer</i>
<i>Andrew Wegener</i>	<i>Accountant</i>

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1. OPENING OF MEETING

The Mayor welcomed all Councillors and declared the meeting open at 9.40 a.m.

2. RECEIPT AND CONFIRMATION OF MINUTES

Resolution: 2007-0606

Moved: Cr Moffitt Seconded: Cr Thompson

That the minutes of the Ordinary Meeting held on 16 April, 2007, as supplied to all Councillors, be confirmed as a true record of the proceedings thereat.

CARRIED: (VOTE: 9/0)

Resolution: 2007-0607

Moved: Cr Pietsch Seconded: Cr Tait

That the minutes of the Special Meeting held on 8 May, 2007, as supplied to all Councillors, be confirmed as a true record of the proceedings thereat.

CARRIED: (VOTE: 9/0)

3. BUSINESS ARISING FROM MINUTES

There is no business arising from the minutes.

4. NOTICE OF MOTIONS PREVIOUSLY GIVEN

Attendance: The Consulting Engineer and Works Manager attended the meeting at 9.46 am.

5. CONSULTING ENGINEERS REPORT

SYNOPSIS:

Council's "Gates & Grids on Local Roads" policy has been on public display and submissions closed on Friday 11th May. By close of business Friday six (6) submissions were received. The responses in general take issue with various aspects of the policy.

EXECUTIVE SUMMARY:

The following table provides a summary of the submissions received.

Submitter	Issue Summary
Bim Goodrich "Warroo"	Grids benefit Council and the public as well as the property owner Inglewood Shire is predominantly an agricultural shire The cost of upgrading and maintaining grids should be shared between

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	the landowner and Council
Jonathon Carson "Burrabaranga"	Supporting the comments of Bim Goodrich
Paul Becker "Woodspring"	Grids benefit Council and the public as well as the property owner Gates adversely affect bee keeping industry as when trucks transporting bees to and from sites have to stop, the bees immediately start to fly from the loaded truck Increases potential for injury to school children on school bus when the bus must stop and open gate Also benefits to tourists If landowner is 100% responsible for costs, may choose to replace grid with cheaper gate Skate park does not benefit all residents, yet Council contributes, grids should be the same
Lyndon Batterham "Carbean"	Grids benefit community and the public as well as the property owner Replacement of any grids currently on timber not practical as many still of sound quality Class of road needs to be considered, including traffic volumes and maximum loads the grids are required to carry Need to include approaches to grids on dirt roads in the policy – launch pad effect as road gets lower over time – need to consider sealing the approaches Grids met requirements of Council when first installed. If they don't conform to new requirements then Council should take responsibility for the upgrades or, at worst, contribute 50% to the cost Requests Council investigate any potential funding sources to upgrade grids as part of the road maintenance and development projects
Rick Goodrich "Terrica Station"	Shire ratepayers (ie Council) have some obligation to keep grids maintained as it is their usage, together with the shire's grading, that creates the bulk of the maintenance tasks Landowners to pay a portion of maintenance with Council to pay its share
Roy Apsey Inglewood	Requests no changes to existing grids before further consultation with landowners is carried out

Council needs to consider the above issues and finalise the policy.

Resolution: 2007- 0608

Moved: Cr Dawson Seconded: Cr Johnson

That Council prepare a further report on the draft Gates & Grids on Local Roads Policy following public submissions and bring back to the June Ordinary meeting.

CARRIED: (VOTE: 9/0)

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5.1 ROAD ACCESS – UNMADE ROAD OFF SWEEDMANS ROAD

SYNOPSIS:

By letter dated 15 December 2006 GE Summerville & GM Lutzke have requested assistance in relation to access to their block of land from Sweedmans Road.

The access to their block is via an unnamed road reserve off Sweedmans Road. The current access is a partly cleared track that winds between vegetation and would be impassable during and after wet weather. A site inspection by the writer indicated that the track may be within the road reserve however this would have to be confirmed prior to any road construction being undertaken.

There is no legal obligation on Council to provide a constructed road and no works can be constructed within a road reserve unless approved by Council. Any works constructed by another party should be to Council's standard and satisfaction. If works approved by Council are constructed, Council would take on the onus of liability in relation to the travelling public.

The construction of the road to any reasonable minimum standard would require significant clearing, formation and multiple creek crossings. The length of road from Sweedmans Road to the subject allotment is approximately 2.1km.

The applicants have submitted a building application to Council. The Building Surveyor has indicated to the writer that this application must be refused due to there being no constructed access to the block.

EXECUTIVE SUMMARY:

Council has a policy in relation to this matter. The relevant section of the policy is provided below.

"That until further reviewed, Council's policy in relation to the provision of road access to land currently without a formed road access be:-

- *Costs below \$750 be met by Council and costs above \$750 are to be paid by the land owner*
- *The road must be on a legal access and have correct alignment*
- *The provision is only to be available to blocks with a habitable and occupied residence and to boundary of blocks in owner's name"*

The policy is quite clear on the issue of Council's maximum contribution being \$750 despite the fact that the construction of the access road would cost many thousands of dollars. There does appear to be an anomaly in relation to the contribution of \$750. The contribution is dependent on there being a habitable and occupied residence, however the building application cannot be approved without the access.

RECOMMENDATION:

That the applicants be advised that Council will make a contribution of \$750 towards the construction of the access road subject to the works being approved by Council and constructed to the required standard.

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Resolution: 2007- 0609

Moved: Cr Thompson Seconded: Cr McDougall

That the applicants be advised that Council will make a contribution of \$750 towards the construction of the access road subject to the works being approved by Council and constructed to the required standard subject to clarification of current policy.

CARRIED: (VOTE: 9/0)

6. WORKS MANAGERS REPORT

Resolution: 2007-0610

Moved: Cr Dawson Seconded: Cr Pietsch

That the Works Managers report be received and the comments contained therein be noted.

CARRIED: (VOTE: 9/0)

6.1 STORMWATER DRAIN – MACINTYRE STREET, INGLEWOOD

SYNOPSIS:

A customer request has been lodged by Brent Bennett requesting Council to inspect the stormwater drain in MacIntyre Street, Inglewood.

BACKGROUND:

Mr Bennett recently placed a dwelling in MacIntyre Street, Inglewood and has requested Council to inspect the storm water drain running between his block and the street.

RECOMMENDATION:

After investigation of the stormwater drain in MacIntyre Street at the block of BW Bennett, I recommend the following:-

Block off/remove pipe 2 as per attached plan – sending water from culvert 1 and collected east of Tomkins Street down to large culverts at highway.

Backfill drain on western side of Tomkins and around the corner into southern side of MacIntyre Street. Thus removing a narrow deep drain dangerous to walking public in Tomkins Street and improve access to blocks in MacIntyre Street.

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Resolution: 2007- 0611

Moved: Cr Tait Seconded: Cr Johnson

That Council

1. Block off/remove pipe 2 as per attached plan sending water from culvert 1 and collected east of Tomkins Street down to large culverts at highway.

2. Backfill drain on western side of Tomkins and around the corner into southern side of MacIntyre Street. Thus removing a narrow deep drain dangerous to walking public in Tomkins Street and improve access to blocks in MacIntyre Street.

CARRIED: (VOTE: 9/0)

7. TECHNICAL OFFICERS REPORT

APPLICATION FOR NAMING OF ROAD

For the purpose of Rural Addressing there are two roads that require naming.

Road 1. Currently known as S Gully this road runs off Riverton Road about 4 km out of Texas and is access to Kerwicks residence and the Gun Club. (Map attached)

Road 2. Un-named road off Mountain Ash Road in the Beebo area. This road is used as access to a couple of dwellings on land parcels in this vicinity.(Map attached)

Resolution: 2007- 0612

Moved: Cr Cox Seconded: Cr Tait

That Council advertise its intention to name roads currently known as S Gully road (which runs off Riverton Road) and the un-named road that runs off Mountain Ash Road in the Beebo area as "Kerwicks Road" and "Northey Road" (subject to clarification) respectively and a further report be prepared for the June Ordinary Meeting addressing a road naming policy.

CARRIED: (VOTE: 9/0)

Attendance: The Consulting Engineer and Works Manager retired from the meeting at 11.08 am.

Adjournment: The meeting adjourned for morning tea at 11.08 am and reconvened at 11.28 am.

Attendance: The Environmental Health Officer attended the meeting at 11.28 am.

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8. ENVIRONMENTAL HEALTH OFFICERS REPORT

Resolution: 2007- 0613

Moved: Cr Johnson Seconded: Cr Thompson

That the Environmental Health Officers report be received and the comments contained therein be noted.

CARRIED: (VOTE: 9/0)

8.1 HEAVY VEHICLE PARKING IN ALBERT STREET, INGLEWOOD

SYNOPSIS:

The purpose of this report is to provide a reasonable and workable solution to the issues of heavy vehicles parking in Albert Street, Inglewood that are carrying stock which create an odour nuisance or refrigerated/freezer vans at night creating a noise nuisance for the nearby residents.

EXECUTIVE SUMMARY:

Over the past few years Council has received many complaints from some residents on Albert Street, Inglewood in relation to environmental nuisances being caused by heavy vehicles parking on the side of the road at various times throughout the day and night. All of these complaints have resulted from the heavy vehicles parking on the western end of Albert Street, adjacent to the State School property or diagonally from the Mobil Service Station.

In many instances it has been the trail of effluent left behind from the transporting of feedlot cattle to the abattoir. Correspondence with the Livestock Transport Companies requesting the drivers to cease from stopping in Inglewood while fully loaded with stock has reduced the achieved the desired result. Since November 2006 there have been only isolated incidences.

Recently Council has received a number of complaints regarding the refrigerated or freezer vans stopping for food, rest or driver changeover during the night. On occasions the Police have been notified and responded to some of the complaints, acting under the Transport Operations (Road Use Management-Road Rules) Regulation 1999, Section 200, which restricts the stopping of heavy or long vehicles in built-up areas to 1 hour.

Unfortunately, the Police have difficulty in responding to parking offences after 10:00 pm and before 7:00 am.

Heavy vehicles are also parking on the eastern end of Albert Street in front of Lions Park during the night hours and to date Council has not received any environmental nuisance complaints from the nearby residents.

In addressing these matters with Queensland Government's Department of Main Roads, Council was advised that the area of Highway from the fog line to the property boundary within the town area was the responsibility of the Local Authority.

During the month Council conducted a meeting with District Inspector Greg Morrow and Senior Constable Scott Penrose to discuss the various options available and the course of action to be taken to minimise the effects of the heavy vehicles on the Community. Following this meeting, Council and the Police Officers met on site with concerned residents to identify the issues and possible solutions. The outcomes of these meetings were: -

- The need to legislate heavy vehicle parking.

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- Improvements to the truckstops located at each end of town and opposite Coolmunda Roadhouse.
- The introduction of a reduced speed limit through town.
- The relocation of the electricity transformer perched high on the corner of Nicholas and Albert Streets, Inglewood.

The need to legislate heavy vehicle parking

Under Local Law No. 12 (Regulated Parking) Council has the powers to control parking throughout the township areas for which Council has control. It is noted that within these Local Laws there is not a Part (section) identifying Heavy Vehicles. The Local Law for Regulated Parking in other Local Authority areas have a Heavy Vehicle section and the Model Local Law also has this following section:-

PART 6 - HEAVY VEHICLE PARKING

Heavy vehicle parking

25.(1) The Local Government may, by local law policy -

- (a) designate vehicles of a certain weight, size or characteristics as heavy vehicles;
- (b) restrict the parking of heavy vehicles to particular designated areas within the Local Government Area.

(2) However, the Local Government cannot restrict the parking of heavy vehicles on a State-controlled road under this section unless the chief executive empowered under Chapter 5 of the Transport Infrastructure Act 1994 has given his or her written agreement for the Local Government to restrict parking of heavy vehicles on a State controlled road in the Local Government's area.

(3) A person must not:-

- (a) park heavy vehicles in contravention of the provisions of any local law policy made under this section; or
- (b) park heavy vehicles within the Area otherwise than in parking areas designated by local law policy for the parking of heavy vehicles.

Maximum penalty - 50 penalty units.

Example:-The Local Government may restrict the parking of trucks, semi-trailers and road trains to places outside of town centres and urban residential areas, or to designated truckstops.

When the above section is included into the Local Law No. 12 (Regulated Parking), then Council has the power to designate the areas adjacent to the State High School and Lions Park as Heavy Vehicle parking areas with restrictions. The restrictions will include loaded livestock vehicles and refrigerated vans and these restrictions should be placed on signs at the heavy vehicle parking areas.

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The verge of the Highway adjacent to the residential properties opposite the designated heavy vehicle parking areas should have restricted parking spaces by using planter boxes or trees to permit the parking of vehicles towing caravans or horse floats.

Improvements to the truckstops located at each end of town and opposite Coolmunda Roadhouse.

Although some heavy vehicles are stopping in town to purchase food or fuel, it is known that many of the heavy vehicles are stopping simply because of the facilities. At the truckstops at each end of the town, there is limited parking area, no toilet facilities and no light.

From the meeting it was suggested that Main Roads could be contacted to request an upgrade of the truckstop facilities at each end of town and at the truckstop opposite Coolmunda Roadhouse. The parking areas of the truckstops could be made larger, sealed and the installation of an eco-toilet and solar lighting would provide the necessary facilities for most of the heavy vehicles stopping in town.

The introduction of a reduced speed limit through town

An issue raised by concerned members of the Community indicated many heavy vehicles are travelling through the town at a speed considered too dangerous particularly through the school zone and business centre. A reduced speed through the built-up area of the town of 50 kilometres/hour was discussed.

The relocation of the electricity transformer perched high on the corner of Nicholas and Albert Streets, Inglewood.

Whilst on site discussing the heavy vehicle matters another issue of heavy vehicles refuelling at the Mobil Service Station and blocking the back laneway was raised. For the heavy vehicles to access the diesel bowser at the rear of the site the trailer is blocking the laneway.

Last year discussions were held with Country Energy regarding the elevated electricity transformer. The timber platform for the transformer is deteriorating due to white ant infestation and the current safety measures require transformers at ground level. With the relocation of the transformer to a more suitable and safe location, the refuelling of heavy vehicles could be achieved with the vehicle approaching the diesel bowser from Albert Street. This would allow the whole heavy vehicle to be contained within the boundaries of the property eliminating the overhang onto the roadway or laneway.

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RECOMMENDATION:

1. In relation to the Heavy Vehicle Parking, it is recommended that Council consider: -
 - a) the amendment of the Local Law No. 12 (Regulated Parking) to include the section for Heavy Vehicles.
 - b) declaring the areas of the Gore Highway adjacent to the Lions Park in the east and adjacent to the State High School in the west as designated heavy vehicle parking areas with restrictions preventing the parking of loaded livestock vehicles at all times and refrigerated vans between 10:00pm and 7:00am.
 - c) the installation of the appropriate signage in the designated heavy vehicle parking areas detailing the restrictions.
 - d) the option of providing limited parking opposite the designated heavy vehicle parking areas for vehicles towing caravans, horse floats and trailers by using planter boxes or other traffic or blister island devices.
2. In relation to the upgrade of the truckstops at each end of town and opposite Coolmunda Roadhouse, it is recommended that Council consider writing to the Queensland Department of Main Roads requesting the installation of eco-toilets and solar lighting plus an increase of sealed, parking area at each location.
3. In relation to the speed limit reduction, it is recommended that Council consider approaching Main Roads to commence the process of introducing a 50 km/hr speed limit through the town built-up area and business district.
4. In relation to the relocation of the electricity transformer on the corner of Nicholas and Albert Streets, it is recommended that Council make contact with Country Energy to discuss the possible relocation site of the transformer and the timeframe in which these works are to be conducted.

Resolution: 2007- 0614

Moved: Cr Moffitt Seconded: Cr Thompson

1. In relation to the Heavy Vehicle Parking, Council: -
 - a) make an amendment of the Local Law No. 12 (Regulated Parking) to include the section for Heavy Vehicles.
 - b) declare the areas of the Cunningham Highway adjacent to the Lions Park in the east and adjacent to the State High School in the west as designated heavy vehicle parking areas with restrictions preventing the parking of loaded livestock vehicles at all times and refrigerated vans between 10:00pm and 7:00am.
 - c) install appropriate signage in the designated heavy vehicle parking areas detailing the restrictions.
 - d) provide options of limited parking opposite the designated heavy vehicle parking areas for vehicles towing caravans, horse floats and trailers by using planter boxes or other traffic or blister island devices.
2. In relation to the upgrade of the truckstops at each end of town and opposite Coolmunda Roadhouse, Council write to the Queensland Department of Main Roads requesting the installation of eco-toilets and solar lighting plus an increase of sealed, parking area at each location.
3. In relation to the speed limit reduction, Council approach Main Roads to

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commence the process of introducing a 50 km/hr speed limit through the town built-up area and business district.

4. In relation to the relocation of the electricity transformer on the corner of Nicholas and Albert Streets, Council make contact with Country Energy to discuss the possible relocation site of the transformer and the timeframe in which these works are to be conducted.

CARRIED: (VOTE: 9/0)

Attendance: The Environmental Health Officer retired from the meeting at 12.08 pm and the Community Development Officer attended the meeting at 12.08 pm.

9. COMMUNITY DEVELOPMENT OFFICERS REPORT

Resolution: 2007- 0615

Moved: Cr Pietsch **Seconded:** Cr Dawson

That the Community Development Officers report be received and the comments contained therein be noted.

CARRIED: (VOTE: 9/0)

9.1 STATE LIBRARY OF QUEENSLAND - YOUR TUTOR PILOT PROJECT

SYNOPSIS:

Your tutor Pilot Project is an online tutoring service for the benefit of students in rural and remote areas.

EXECUTIVE SUMMARY:

Details of the pilot project were received on 6th of March and forwarded to local schools for their comment.

Summary of the program:

What:

Expert Australian tutors/teachers deliver on line tutoring to students in years 4 to 12
Subjects covered include Mathematics, Science, English, Research and Study skills.

When:

Monday to Friday 4pm to 8pm (pilot duration - 12months from April 2007)

Where:

Software to be installed on as many library computers as required.

Remote access is available to all library customers (This will be the major mode of use with students able to access service at home)

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This program may result in increased usage of library facilities by local students.

Response from the schools is that the program would be of benefit to the students and that we should lodge an expression of interest to access this resource.

RECOMMENDATION:

Council lodge an expression of interest to have the program available in both Inglewood and Texas libraries.

Resolution: 2007- 0616

Moved: Cr Dawson Seconded: Cr Pietsch

That Council lodge an expression of interest to have the program available in both Inglewood and Texas libraries.

CARRIED: (VOTE: 9/0)

10. HUMAN RESOURCE OFFICERS REPORT

Resolution: 2007- 0617

Moved: Cr Thompson Seconded: Cr Moffitt

That Council endorse the actions taken in negotiating and signing off an administrative agreement in relation to the state and federal unions and further negotiations on the EBA be put on abeyance pending clarification of amalgamation issues.

CARRIED: (VOTE: 9/0)

Resolution: 2007- 0618

Moved: Cr Johnson Seconded: Cr McDougall

That the Human Resource Officers report be received and the comments contained therein be noted.

CARRIED: (VOTE: 9/0)

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10.1 INGLEWOOD AND DISTRICT HISTORICAL SOCIETY

SYNOPSIS:

The Inglewood and District Historical Society has requested Inglewood Shire Council to be the main sponsor of the Centenary of the arrival of railway in Inglewood celebration scheduled for the 6th and 7th July 2007.

EXECUTIVE SUMMARY:

The secretary of the Inglewood and District Historical Society is requesting Council to be the major sponsor of the forthcoming centenary celebration of the coming of the railway into Inglewood.

Their requests are listed as follows:

- Seeking \$500.00 from Community Donation Program.
- The use of the Civic Centre for Friday 6th and Saturday 7th July 2007.
- The use of the vacant Council land adjacent to the Emergency Services Building, Albert Street, for sleeper cutting displays and parking of old machinery.
- Temporary closure of lane way between Elizabeth Street and Victoria Street and if approved, supply appropriate signage.
- Supply of crowd barriers.
- Removal of rubbish.
- Photocopying of programs etc.

The Inglewood and District Historical Society have also approached the Mayor to borrow the Multiscreen from Texas to display the DVD at the Cocktail party to be held in the Civic Centre.

Resolution: 2007- 0619

Moved: Cr Tait Seconded: Cr Johnson

That Council support the Inglewood and District Historical Society by granting:

- \$500.00 from Community Donation Program.
- The use of the Civic Centre for Friday 6th and Saturday 7th July 2007.
- The use of the vacant Council land adjacent to the Emergency Services Building, Albert Street, for the silver spike demonstrations, sleeper cutting display and parking of old machinery.
- Temporary closure of lane way between Elizabeth Street and Victoria Street and supply appropriate signage.
- Supply of crowd barriers.
- Removal of rubbish.
- Photocopying of programs etc
- Use of the multi - screen TV at the Civic Centre.

CARRIED: (VOTE: 9/0)

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Adjournment: The meeting adjourned for lunch at 12.58 pm and reconvened at 1.38 pm. Councillor Dawson was not in attendance at the recommencement of the meeting.

11. MAYORAL MINUTE

11.1 RADF

SYNOPSIS:

At the RADF Committee Meeting held Friday 18 May 2007, the following applications were approved for funding within the guidelines of Arts Queensland Regional Arts Development Fund.

EXECUTIVE SUMMARY:

Inglewood State School Indigenous Youth & Friends - funding for \$6,000.00 was approved for the 2007 Indigenous Youth Arts Festival that will take place from 14 – 21 June 2007. This festival will give opportunities for Indigenous and Non-Indigenous youth to participate and perform in a celebration of many aspects of Indigenous culture.

Texas Show Society - funding for \$6,128.00 was approved for the July 2007 Show. This will include workshops and performances by various artists throughout the Show giving community exposure to a wide range of theatre, music styles and genres.

These approved applications finalise our 2006-2007 round of funding.

RECOMMENDATION:

That the listed items which have been assessed, approved for funding by the Inglewood Shire Council RADF Committee, be ratified and endorsed by Council.

Resolution: 2007- 0620

Moved: Cr Pietsch Seconded: Cr Cox

That Council ratify and endorse the following applications which have been assessed and approved for funding by the Inglewood Shire RADF committee:-

- a. Inglewood State School Indigenous Youth & Friends
- b. Texas Show Society

CARRIED: (VOTE: 8/0)

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Attendance: Accountant, Andrew Wegener joined the meeting at 1.45pm and Councillor Dawson rejoined the meeting at 1.55 pm.

12. ACCOUNTANTS FINANCE REPORT

Resolution: 2007- 0621

Moved: Cr Moffitt Seconded: Cr Thompson

That Council allow the Inglewood Golf Club an extension until the 31 August, 2007 to acquit the Community Grants funds.

CARRIED: (VOTE: 9/0)

Resolution: 2007- 0622

Moved: Cr Tait Seconded: Cr Cox

That the Accountants Finance report be received and the comments contained therein be noted.

CARRIED: (VOTE: 9/0)

12.1 APPLICATION FOR PERMANENT ROAD CLOSURE AND ROAD OPENING

Synopsis:

Ian A Rosenberger (Surveys) Pty Ltd making application for a road opening and road closure over that portion of McNulty Road that traverses Lot 2 SP166823 and is currently off alignment with the gazetted road reserve and road opening of the gravelled road forming McNulty's Road that has not been constructed in the road reserve through portion of Lot 38 CVE15 (shaded pink) and making application for the permanent closure of that portion of McNulty Road that traverses the western boundary of Lot 2 SP178932, Parish of Beebo in a southerly direction and terminates at Brush Creek (shaded green).

Background:

Reference is made to a report submitted to Council at its 20 December 2004 General Monthly Meeting in relation to the above.

The following is a reprint of the report submitted to the December 2004 meeting. During the course of survey work undertaken by Ian Rosenberger (Surveys) in respect of a recent Development Application for the Reconfiguring of a Lot by Mr Campbell, it was discovered that portion of McNulty Road was not constructed in the road reserve and part of the road was actually constructed on Mr Campbell's land.

In order to remedy the matter Mr Campbell would be prepared to enter into a road opening, road closure arrangement with Council to arrange for the existing position of the constructed gravel road to be dedicated as a lawful road reserve.

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The Mayor, Director of Engineering Services and the Chief Executive Officer have inspected the section of road off alignment with the view of having road reconstructed on the road reserve.

The correct alignment of the portion of McNulty Road is through land that is low lying and swampy and floods with minimal amounts of rain. The cost of reconstructing the road on this alignment to a standard that would afford the same access as the current road would be prohibitive and it is considered that the proposal put forward by Mr Campbell is the most logical and cost effect solution to the current situation.

Council at its December 2004 meeting passed a resolution offering no objection to the road opening and road closure over that portion of McNulty Road in relation to Lot 2 SP166823.

Legislation:

Land Act 1994

Section 99 (Application to close road)

The registered owner, lessee or trustee of land adjoining a road may apply to the Minister for the temporary or permanent closure of the road.

The Minister may refuse a road closure application if the Minister is satisfied—

- (a) the application is vexatious or frivolous; or
- (b) the road is the only dedicated access to a person's land; or
- (c) the road is, or may be, used regularly by the public as a road or stock route; or
- (d) the road provides continuity to a road network.

Policy:

Council does not have a policy in relation to roads off alignment.

Recommendation:

That Council ratify their previous resolution no 2004/0073 and that Council offer no objection to the road opening for the existing position of the constructed gravel road to be dedicated as a lawful road reserve (Lot 38 CVE15, parish of Beebo).

Resolution: 2007- 0623

Moved: Cr Pietsch Seconded: Cr Johnson

That Council ratify their previous resolution no 2004/0073 and that Council offer no objection to the road opening for the existing position of the constructed gravel road to be dedicated as a lawful road reserve (Lot 38 CVE15, parish of Beebo).

CARRIED: (VOTE: 9/0)

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13. CHIEF EXECUTIVE OFFICERS REPORT

13.1 MATTERS GENERALLY FOR INFORMATION

Reason for Report

To bring Councillors' attention to the following items that are generally for information only:

- 13.1.1 Item No. 2 - Local Government Bulletin 03/07
- 13.1.2 Item No. 3 - Texas Inglewood Road / High Street Intersection
- 13.1.3 Item No. 4 - Department of Local Govt., Planning, Sport and Recreation – Simplification of Grants Administration
- 13.1.4 Item No. 5 - Petition to repair Inglewood Pool
- 13.1.5 Item No. 6 - Regional Airport Development Scheme – Inglewood Airport
- 13.1.6 Item No. 7 - Department of Local Govt. 2006/07 Road and Drainage Grant
- 13.1.7 Item No. 8 - Australian Local Govt. Association – New Policy Documents
- 13.1.8 Item No. 9 - Department of Housing – Units at 10 St. Johns Street, Texas
- 13.1.9 Item No. 10 - Department of Natural Resources and Water – Road Closure – G. Sheather

Recommendation:

That the CEO's Report in relation to the following matters:

- Item No. 1 - Local Government Bulletin 03/07
- Item No. 2 - Texas Inglewood Road / High Street Intersection
- Item No. 3 - Department of Local Govt., Planning, Sport and Recreation – Simplification of Grants Administration
- Item No. 4 - Petition to repair Inglewood Pool
- Item No. 5 - Regional Airport Development Scheme – Inglewood Airport
- Item No. 6 - Department of Local Govt. 2006/07 Road and Drainage Grant
- Item No. 7 - Australian Local Govt. Association – New Policy Documents
- Item No. 8 - Department of Housing – Units at 10 St. Johns Street, Texas
- Item No. 9 - Department of Natural Resources and Water – Road Closure – G. Sheather

be received and noted for information.

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Resolution: 2007- 0624

Moved: Cr Thompson Seconded: Cr Johnson

That the Chief Executive Officers report in relation to the following matters be received and the comments contained therein be noted.

- Item No. 1 - Local Government Bulletin 03/07
- Item No. 2 - Texas Inglewood Road / High Street Intersection
- Item No. 3 - Department of Local Govt., Planning, Sport and Recreation – Simplification of Grants Administration
- Item No. 4 - Petition to repair Inglewood Pool
- Item No. 5 - Regional Airport Development Scheme – Inglewood Airport
- Item No. 6 - Department of Local Govt. 2006/07 Road and Drainage Grant
- Item No. 7 - Australian Local Govt. Association – New Policy Documents

CARRIED: (VOTE: 9/0)

13.2 MEMBERSHIP – MELBOURNE BRISBANE INLAND RAIL ALLIANCE (MBIRA)

Reason to Report

To consider membership of the Melbourne Brisbane Inland Rail Alliance (MBIRA).

Background

A letter dated 28 February 2007 which is self explanatory is attached for Council's consideration.

As part of the recent 2007 LGAQ Infrastructure Symposium in Brisbane (18/20 April) Councillors White and Pietsch and CEO Don Ramsland undertook a technical tour of the port of Brisbane.

During a briefing session Councillor White enquired what the impact of the Melbourne Brisbane inland rail proposal would be and was informed that it would be of little impact because of the limited access for rail to the port facilities. It follows then that the major benefits of the inland rail proposal will flow from access to North Queensland ports, and eventually Darwin.

The suggestion was made that the viability of any inland rail corridor would be impacted by any increase in the coastal shipping network as an alternative form of transport. Whilst the amount of cargo that can be shipped by one train as opposed to a B-Double is about 150 fold, similarly the cargo moved by one ship as compared to one train is huge.

Membership would cost \$1,000.00.

Recommendation:

That Council consider whether it wishes to become a member of the Melbourne Brisbane Inland Rail Alliance (MBIRA).

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Resolution: 2007- 0625

Moved: Cr Dawson Seconded: Cr Tait

That Council become a member of the Melbourne Brisbane Inland Rail Alliance (MBIRA).

CARRIED: (VOTE: 9/0)

Personal Material Interest: Councillor Tait declared a personal material interest in the following item (Inglewood Lions Club) and left the meeting at 2.55 pm.

13.3 INGLEWOOD LIONS CLUB

Reason to Report

To consider waiving the Hall Hire Fee for the Inglewood Lions Club luncheon for Inglewood's Senior Citizens (70 years of age and over).

Background

Inglewood Lions Club held a luncheon on the 15 April, 2007 and have requested Council consider waiving the hall hire fee.

Resolution: 2007- 0626

Moved: Cr McDougall Seconded: Cr Pietsch

That Council waive the hall hire fee for the Inglewood Lions Club for the Inglewood Senior Citizen's 70 years of age and over.

CARRIED: (VOTE: 8/0)

Attendance: Councillor Tait rejoined the meeting at 3.05 pm.

13.4 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT – 26/29 NOVEMBER, 2007

Reason to Report

To consider attendance at the 2007 National General Assembly of Local Government.

Background

An invitation to attend the 2007 National General Assembly of Local Government on 26/29 November, 2007 in Darwin is attached, together with a call for motions.

In view of recent events perhaps Council would consider attending and put forward motions in relation to

1. Constitutional Recognition for Local Government
2. Establishment of a National Local Government Infrastructure Fund

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-
3. A forced percentage of all taxation revenue (say 2.5%) being ear marked for local government.

Recommendation:

For Council's consideration.

Resolution: 2007- 0627

Moved: Cr Thompson Seconded: Cr Moffitt

That Council elect the CEO to attend the National General Assembly of Local Government on 26/27 November, 2007 in Darwin and put forward motions in relation to:-

1. Constitutional Recognition for Local Government
2. Establishment of a National Local Government Infrastructure fund.
3. A fixed percentage of all taxation revenue (say 2.5%) being ear marked for local government.

CARRIED: (VOTE: 9/0)

13.5 LEASE OF COUNCIL LAND

Reason to Report

To consider to lease two parcels of land located between the golf course and the river and fronting Potters Road, Inglewood.

Background

Clive Wylie has enquired if Council would consider leasing two parcels of land located between the golf course and the river and fronting Potters Road, Inglewood.

Mr Wylie would be responsible for fencing the land and to manage and maintain the resource.

Mr Wylie is also interested in a co-ordinated 'greening up' of the sewerage treatment works, to improve the visual aspects of that part of town.

Recommendation:

For Council's consideration.

Noted

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13.6 INGLEWOOD MULTIPURPOSE HEALTH SERVICE

Reason to Report

To consider to waive hall hire fee for a community planning day held on 24 April, 2007.

Background

Inglewood Multipurpose Health Service in conjunction with Queensland Health and Australia Government Department of Health and Agency conducted a Planning day with members of the community.

Inglewood Multipurpose Health Service has requested Council consider waiving the cost of the hire of the Civic Centre for the day.

Resolution: 2007- 0628

Moved: Cr Thompson Seconded: Cr Johnson

That Council refuse the request from Inglewood Multipurpose Health Service to waive the fee for the cost of the hire of the civic centre for the purpose of a community planning day held on 24 April, 2007.

CARRIED: (VOTE: 9/0)

13.7 LOGGING OPERATION ON SHIRE ROAD

Reason to Report

To seek Council's views on proposed sale of part of State Forest 341, which includes an area to the North of Inglewood. Also if Council has no objection to this sale any special conditions that should be applied to this proposal.

Background

Department Natural Resources, Mines and Water have written to Council seeking our views of the proposed sale of part of State Forest 341, Bringalily for routine logging operations. Also if Council have no objection to this sale proceeding would Council apply any special conditions to this proposal.

Recommendation:

For Council's consideration.

Resolution: 2007- 0629

Moved: Cr Dawson Seconded: Cr Tait

That the matter of logging operation on shire road (Logging operation on Shire Road) lay on the table for further investigation and be brought back to the June Ordinary Meeting.

CARRIED: (VOTE: 9/0)

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13.8 ORGANISATIONAL STRUCTURE

Reason to Report

To review Council's Organisational Structure.

Background

Even with the current uncertainty surrounding the future direction of local government, it is essential that Council continue to function in an effective, productive, efficient and accountable manner.

There are two strands to achieving this, the first is to group the various functional areas so as to maximise service delivery outcomes.

The second is to establish a human resource structure which effectively underpins the first strand.

Two flow charts are attached to support the preferred structure with lines of reporting and communication detailed.

Should Council formally adopt the proposed structure, detail positions description, performance indications and selection criteria for the two Directors positions will be prepared. However, at this point in time it is intended only to advertise and appoint to the senior engineering/environmental services position.

The successful appointee would then have input into detailed staff structure within that functional area.

LEGISLATION:

Local Government Act 1993 – Chapter 16 Part 1 (Corporate Structure and Staff Resources)

S.1127 Corporate Structure

- (1) A local government must have a corporate structure appropriate for the conduct of its affairs.
- (2) The corporate structure must be approved by the local government by resolution.

POLICY:

Some amendments to Council's purchasing and other staff policies may be required. These will be clearly stated as a follow up report after the work task and PD's are prepared for the key personnel in the organisational chart.

FINANCIAL IMPACTS:

The proposed organisation chart is cost neutral in terms of wages expenditure. Some efficiency may be gained through more stringent cost control.

CONCLUSION:

Adoption of the proposed organisational/staff structure is the initial step in overcoming difficulties with the existing structure, particularly from an engineering/environmental services aspect.

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Recommendation:

- (1) That the organisational/staffing structure as attached be adopted pursuant to Section 1127 of the Local Government Act 1993 (as amended).
- (2) That the intention to advertise the position of Director of Technical Services be noted.

Council

Chief Executive Officer

Executive Assistant

Goal: To provide overall management responsibility in maximising Council's resources in all operations to achieve sound economic and social development of the community.

Finance and Administration

Planning and Development

Works and Services

Goal: To achieve maximum community benefits from available financial and human resources.

Goal: To encourage economic development and establish clear guidelines for the nature and direction of development as well as enhancing the amenity, lifestyle and well being of the Shire.

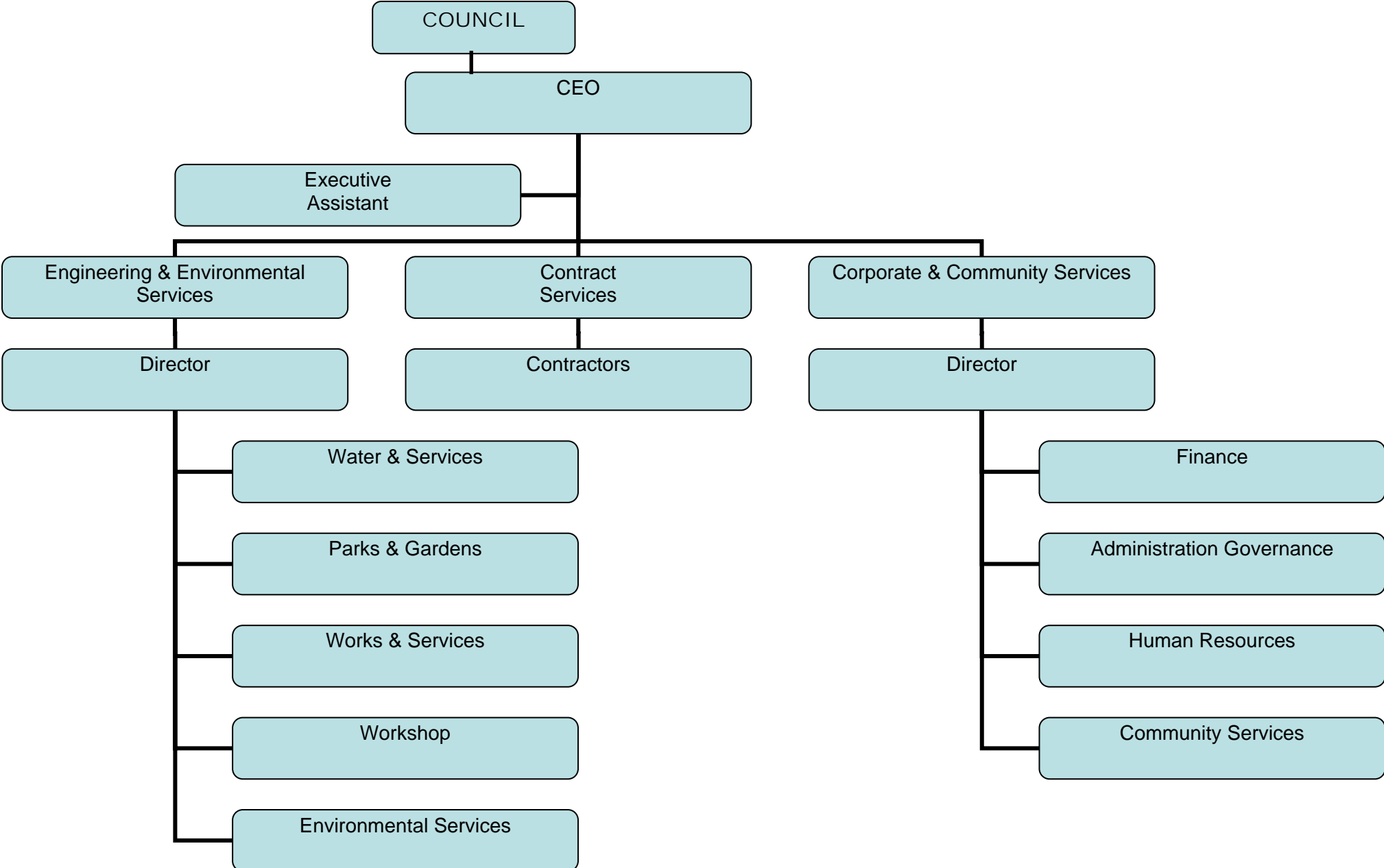
Goal: To maintain and upgrade the infrastructure throughout the Shire and provide a range of essential services within the Shire.

- Financial Management
- Administration
- Corporate Governance
- Information Technology
- Human Resources Management
- Property Management
- Budgeting
- Investments
- Records Management
- Insurance / Legal Matters
- Rating
- Purchasing
- Library
- Arts and Culture

- Statutory and Strategic Land Use Planning
- Building Services
- Economic Development
- Tourism
- Shire Promotion
- Environmental Services
- Public Health and Local Laws
- Waste Management
- Community Development and Support Programs
- Public Relations
- Stock Routes
- Dingo Fences

- Infrastructure Planning
- Roadworks and Drainage
- Workshop and Depots
- Plant
- Main Roads Works
- Private Works
- Water Supply
- Sewerage
- Recreation and Parks

PROPOSED ORGANISATIONAL/STAFFING STRUCTURE



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Resolution: 2007- 0630

Moved: Cr Dawson Seconded: Cr Johnson

- (1) That the organisational/staffing structure as attached be adopted pursuant to Section 1127 of the Local Government Act 1993 (as amended).
- (2) That the intention to advertise the position of Director of Technical Services be noted

CARRIED: (VOTE: 9/0)

13.9 COOLMUNDA DAM

Reason to Report

To advise Council of initiatives being taken in the lead up to calling for expressions of interest for the development of the facility.

Background

Council has been contemplating the best method of approaching the development of land parcels it holds on the foreshore of Coolmunda Dam which has tremendous potential for tourism development.

As a first step a formal approach has now been made to Sunwater to lease the land in the flood margin between Council's land and the water level. Council has also expressed interest in taking over recreation areas one and two and sought an indication as to what conditions/negotiations would be involved.

Contact has been made with an experienced resort developer who holds land in the shire with a view to obtaining his thoughts on the Dam's tourism potential and the best methods of approaching a major development.

A further report will be prepared for consideration in due course.

Recommendation:

That the information be received and noted and action taken in securing access to land at Coolmunda Dam endorsed.

Resolution: 2007- 0631

Moved: Cr Pietsch Seconded: Cr Tait

That the information be received and noted and action taken in securing access to land at Coolmunda Dam endorsed.

CARRIED: (VOTE: 9/0)

14. DEVELOPMENT APPLICATION – RECONFIGURING A LOT

SYNOPSIS:

A development application was lodged by Mr Tom Donald for a Reconfiguring a Lot (subdividing 1 lot into 3) on land at Bosnjaks Road, Inglewood, described as Lot 1 on SP125519. Council's Consulting Town Planners, Campbell Higginson, have assessed the application and forwarded their recommendations for Council's consideration.

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BACKGROUND:

1. The Proposal

A development application was lodged by Mr Tom Donald for Reconfiguring a Lot (Development Permit) on land at Lot 1 Bosnjaks Road, Inglewood.

The proposal is to subdivide the property to create 3 lots with sizes of 52.6ha; 287 ha; and 117 ha (referred to as proposed Lots 1, 2 and 3 in this report). Proposed Lot 2 will be positioned in between proposed Lot 1 (to the west) and proposed Lot 3 (to the north), and has an access strip approximately 100 m wide and 200 m long to Bosnjaks Road.

All proposed lots will have frontage onto Bosnjaks Road to the north west, and proposed Lot 2 will retain the southern road frontage.

An existing rifle range and high-voltage electricity line easements will be located within proposed Lot 2, and sheds are located within the access strip of the proposed lot with unknown setbacks to the proposed boundaries. Proposed Lot 3 contains an existing house.

In the material lodged with the development application, the applicant has noted the proposed Lot 1 will be used as a lifestyle (rural residential) lot, possibly for persons who would use the adjoining shooting range, likened to residential land adjoining a golf course. The applicant further argues that the site cannot be used for rural purposes given it is covered by State protected vegetation, and it physically separated by the existing rifle range which is located in the centre of the site.

2. Site Details

The subject site has an area of 457 ha and contains a house near the northern part of the site, and a rifle range within the centre of the site and sheds near the Bosnjaks Road to the north west. Easements are located on site including: 60 m wide easements for the Powerlink high-voltage electricity line running north - south, and a smaller easement 12 m wide adjoining the northern boundary of the site for access purposes. The site is primarily covered by 'Not of Concern' remnant vegetation, excluding clearing for the electricity easements and the existing house and sheds.

The site has a road frontage on Bosnjaks Road to the north west, and an unnamed road on the southern boundary.

The site is located approximately 23 km south west of the town of Inglewood, and 2.5 km south east of the State-controlled Cunningham Highway. The MacIntyre Brook is also located to the north west of the site. Land to the south and east of the site is covered by vegetation, while rural uses are to the north and west.

3. IDAS Referrals

The following agencies were identified as the referral agencies for the proposed development pursuant to the *Integrated Planning Regulation 1998*. A full copy of the Decision Notice is required to be forwarded to the referral agencies pursuant to the requirements of the *Integrated Planning Act 1997*:

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Department of Main Roads (DMR) - concurrence

Trigger – Development, under an IPA Planning Scheme, on land not contiguous to a State-controlled that is a Reconfiguring a Lot for 'Any other purpose' and exceeds the threshold of 12 000 sq m total site area.

DMR issued a referral agency response, received by Council on 3 May 2007, stating they have no requirements in relation to the development application.

Environmental Protection Agency (EPA) – concurrence

Trigger – Reconfiguring a lot if all or part of the premises:

- (a) is on the environmental management register or contaminated land register under the *Environmental Protection Act 1994*;
- (b) is used for, or if there is no existing use was last used for a notifiable activity (no. 18 - Gun, pistol or rifle range).

On 26 April 2007, Council received the EPA referral agency response which included 2 conditions to be attached to an approval of the development.

Powerlink Queensland – advice

Trigger – Reconfiguring a lot if any part of the lot is subject to an easement in favour of a distribution entity or transmission entity under the *Electricity Act 1994* and the easement is for a transmission grid or supply network under that act.

Powerlink issued a referral agency response, which was received by Council on 29 March 2007. The response recommended 4 conditions be attached to the approval of the development. The conditions required compliance with the terms of the existing easements, the re-submission of any modified proposed subdivision plan, compliance with State legislation and also stated the validity of the advice. These matters are either already dealt with in State legislation or advisory notes, and therefore would not be required to be attached to an approval.

It is noted under s 3.3.19 of IPA, Council is not required to attach these conditions to an approval.

Although the site is predominantly covered by 'Not of Concern' remnant vegetation, referral to the Department of Natural Resources and Water is not required as the size of the proposed lots is not 25 hectares or smaller.

The development application was assessed using the Code Assessment process pursuant to the requirements of the *Integrated Planning Act 1997* and the Rural Zone Table of Assessment of the Inglewood Shire Planning Scheme.

The following Code and Schedule of the Inglewood Shire Planning Scheme are applicable to the proposed development:

- CODE (Part 5 – Reconfiguring a Lot Code)
 - Reconfiguring a Lot - Code Purpose (s 5.2)
 - Performance Criteria and Acceptable Solutions – “*Reconfiguring a Lot*” (s 5.3)
- SCHEDULE
 - Schedule 1 - Design and Construction Standards

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5.1 Planning Scheme Codes

Part 5 – Reconfiguring a Lot Code - Reconfiguring a Lot – Code Purpose (5.2)

(1) “Reconfiguring a lot”:

- (a) achieves a lot size appropriate for the “Zone” in which the site is located and maintains the local amenity and environmental characteristics of the locality through appropriate lot layout and design;
- (b) satisfies a demonstrated community need;
- (c) is undertaken in an orderly and logical sequence to achieve efficient provision of infrastructure;
- (d) does not prejudice extractive or mining resources;
- (e) minimises the need for flood, bushfire and landslide mitigation, and protects people and premises from such natural events; and
- (f) does not impact adversely on infrastructure.

(2) Each lot created by the reconfiguration has water supply, stormwater disposal, sustainable effluent and waste disposal, power and access to the road network, to appropriate standards.

(3) “Reconfiguring a lot” protects:

- (a) Good Quality Agricultural Land (GQAL) from fragmentation, alienation or encroachment of incompatible land “uses” in accordance with State Planning Policy 1/92 – Development and Conservation of Agricultural Land;
- (b) areas and sites of conservation importance, including cultural and high landscape values; and
- (c) the integrity of the Condamine flood plain.

In general, the proposed subdivision is not consistent with the Purpose of the Reconfiguring a Lot Code.

The sizes of the proposed lots being 52.6ha, 287 ha, and 117 ha are significantly lower than the lot size appropriate in the Rural Zone being 5000 ha as per Acceptable Solution (AS) 1.1. The proposed development, through the anticipated residential use of the land, may compromise the continued operation of nearby rural activities. Furthermore, the proposed lots are inappropriately located in the rural area, and considerably separated from the township of Inglewood and other rural residential and “lifestyle” allotments.

The applicant has not demonstrated a community need for allotments of the setting and sizes proposed. Although a select few may enjoy the facilities provided by the rifle range, the location of “lifestyle” allotments adjoining such a high impact use is inappropriate, primarily due to noise impacts, contamination and safety concerns. The proposal would lead to the development of sensitive land uses and may negatively impact the operation of the rifle range. The preference of select persons is not a sufficient planning ground to support the proposal despite the adverse impacts.

The site is located within GQAL, and although the applicant has noted the land is not GQAL on the ground, this has not been demonstrated through an appropriate study prepared in accordance with the Planning Guideline: The Identification of Good Quality Agricultural Land. It is recognised the site is currently divided by the existing shooting range, however the creation of the proposed lots may adversely affect nearby GQAL through the encroachment of incompatible land uses.

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The proposed lots will not adversely impact existing infrastructure, or result in flooding, bushfire risk or adversely affect mining operations.

The development can be adequately conditioned to ensure the new lots are appropriately serviced including road access.

Having regard to the requirements of the Inglewood Shire Planning Scheme and the relevant facts and circumstances, and in accordance with sections 3.4.5(2) and 3.5.13 of the *Integrated Planning Act 1997*, it is recommended that the development application be refused on the grounds that:

- 1) The proposal is contrary to the Reconfiguring a Lot Code Purpose in that:
 - (a) It does not achieve an appropriate lot size for the Rural Zone, and may compromise the continued operation of rural uses in the area (Section 5.2 (1)(a));
 - (b) The applicant has not demonstrated a community need for the proposed lots, particularly for "lifestyle" lots relative to the rifle range (Section 5.2 (1)(b));
 - (c) The site is located within the Good Quality Agricultural Land and the applicant has not demonstrated an overriding community need in terms of public benefit or provided a study prepared in accordance with the Planning Guideline: The Identification of Good Quality Agricultural Land demonstrating the land is not Good Quality Agricultural Land (Section 5.2 (3)(a));
 - (d) The proposed subdivision would result in the encroachment of incompatible land uses, potentially compromising rural activities on nearby GQAL. (Section 5.2 (3)(a));
- 2) The proposed lot sizes are significantly less than the prescribed minimum of 5000 ha (AS1.1), and may compromise the viable operation of nearby rural uses (PC1);
- 3) The applicant has not demonstrated a general community need for the proposed allotments adjoining a typically incompatible land use, that is the rifle range (PC7);
- 4) The proposed lots may not be safe and liveable, given the anticipated noise impacts and safety concerns generated by the proposed adjoining rifle range lot (PC8);
- 5) The subject site is isolated from existing "lifestyle" and rural residential land and is therefore an inappropriate location for the proposed development;
- 6) Given the assessment of the proposal detailed in section 5 of this report, it is considered the proposed development conflicts with the Reconfiguring a Lot Code, and relevant and reasonable conditions could not be imposed to ensure compliance with the code; and
- 7) There are no sufficient grounds to justify the approval of the development.

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RECOMMENDATION:

Reasons for Refusal

The proposal conflicts with the Code Purpose of the Reconfiguring a Lot Code of the Inglewood Shire Planning Scheme in that:

- (a) The proposed lots do not have an appropriate lot size for the Rural Zone, and may compromise the operation of nearby rural uses (Section 5.2 (1)(a));
- (b) The applicant has not demonstrated a community need for the proposed lots, particularly in consideration of the proposed "lifestyle" lots that would adjoin the rifle range (Section 5.2 (1)(b));
- (c) The site is located within Good Quality Agricultural Land and the applicant has not demonstrated an overriding community need in terms of public benefit or provided a study prepared in accordance with the Planning Guideline: The Identification of Good Quality Agricultural Land showing that the land is not Good Quality Agricultural Land (Section 5.2 (3)(a)); and
- (d) The proposed subdivision would result in the encroachment of incompatible land uses, potentially compromising rural activities on nearby GQAL (Section 5.2 (3)(a)).

The proposal conflicts with Performance Criteria (PC) 1 and Acceptable Solution (AS) 1.1 of the Reconfiguring a Lot Code of the Inglewood Shire Planning Scheme in that:

- (e) the proposed subdivision will not ensure the Rural Zone retains its viability as an area of primary production;
- (f) the proposed lot sizes are significantly less than the prescribed minimum of 5000 ha; and
- (g) may compromise the viable operation of nearby rural uses.

The proposal conflicts with Performance Criteria (PC) 7 of the Reconfiguring a Lot Code of the Inglewood Shire Planning Scheme in that the applicant has not demonstrated a general community need for the proposed allotments adjoining an incompatible land use (the rifle range).

The proposal conflicts with Performance Criteria (PC) 8 of the Reconfiguring a Lot Code of the Inglewood Shire Planning Scheme in that the proposed lots may not be safe and liveable, given the anticipated noise impacts and safety concerns generated by the adjoining rifle range.

The subject site is isolated from existing "lifestyle" and rural residential land and is therefore an inappropriate location for the proposed development.

Council receive report and refusal be noted.

15. MEETING CLOSED TO THE PUBLIC

Resolution: 2007- 0632

Moved: Cr Dawson Seconded: Cr Pietsch

That the meeting be closed to the public under section 463 (1) of the *Local Government Act 1993* for the purposes of discussing human resource issues and Section 92 of the Ombudsman Act.

CARRIED: (VOTE: 9/0)

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16. MEETING REOPENED TO THE PUBLIC

Resolution: 2007- 0633

Moved: Cr Thompson Seconded: Cr Moffitt

That the meeting be reopened to the public.

CARRIED: (VOTE: 9/0)

That it be reported to Council that whilst in Committee the following matters had been discussed.

1. Staff Organisational Structure
2. Amendments to CEO's contract
3. Ombudsman's letter dated 5 April, 2007

Resolution: 2007- 0634

Moved: Cr Dawson Seconded: Cr Tait

That Council authorise the CEO to negotiate with relevant key staff the payment of long service leave by way of salary sacrifice into the LG Super Fund prior to 30 June, 2007.

CARRIED: (VOTE: 9/0)

Resolution: 2007- 0635

Moved: Cr Moffitt Seconded: Cr Thompson

That the Mayor and Deputy Mayor review the CEO's contract with the CEO and come back to the June Ordinary Meeting.

CARRIED: (VOTE: 9/0)

Resolution: 2007- 0636

Moved: Cr Johnson Seconded: Cr Moffitt

That Council reconsider its decision to seek a contribution of \$6,423.50 for the cost of the replacement of grids from Mr N & Mrs B Hamel and the amount be waived in this instance and further that the Ombudsman be advised accordingly.

CARRIED: (VOTE: 9/0)

17. CLOSURE

There being no further business, the Mayor thanked Councillors for their attendance and declared the meeting closed at 6.05 pm.

Confirmed:.....

Date:.....

