

## Disclaimer

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# Minutes of the General Meeting

**Held in the Council Chambers, 48 Drayton Street, Nanango**

on Wednesday, 25 August 2010

Commencing at 9.00 am

**Chief Executive Officer: Tony Hayward**



## SOUTH BURNETT REGIONAL COUNCIL MINUTES

Wednesday, 25 August 2010

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Minutes of the meeting of the South Burnett Regional Council, held in the Council Chambers, 48 Drayton Street, Nanango on 25 August 2010 at 9.16am.

**PRESENT:**

**Councillors:**

Cr ID Carter (Mayor), Cr KM Campbell (Deputy Mayor), Cr CD Dalton, Cr KA Duff, Cr BL Green, Cr DJ Palmer, Cr DP Tessmann

**Council Officers:**

Tony Hayward (Chief Executive Officer), Gary Wall (Director Finance & Business), John Kersnovski (Director Infrastructure), Sharon Frank (Manager Corporate Governance), Chris Du Plessis (Manager Planning & Land Management), Craig Patch (Manager Environmental Services)

**1. Leave Of Absence**

Nil.

**2. Prayers**

A representative of the Ministers Fraternal, Pastor Don Niebling from the Baptist Church, offered prayers for Council and for the conduct of the Council meeting.

**3. Address From Public Gallery**

Nil.

**4. Receipt Of Petitions**

Nil.

**5. Confirmation Of Minutes Of Previous Meeting**

**5.1 South Burnett Regional Council Minutes**

**Officer's Recommendation**

That the minutes of the previous meeting held on Wednesday, 4 August 2010 as recorded be confirmed.

**Resolution:**

*Moved Cr KA Duff, seconded Cr KM Campbell.*

*That the minutes of the previous meeting held on Wednesday, 4 August 2010 as recorded be confirmed.*

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

## 6. Mayoral Minutes

### 6.1 Nanango Streetscape Project

#### Motion:

*Moved Cr ID Carter, seconded Cr BL Green.*

*That the remaining components of the Nanango Streetscape Project be put on hold until a level of community consultation has been undertaken on the options for the funds available in the 2010/11 budget.*

*Carried 7/0*

*FOR VOTE - All Councillors voted unanimously*

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

See Business Function Headings

## 7. Built & Natural Environment

### 7.1 Environmental Services

#### 7.1.1 ES - 903678 - Damien Tessmann (Councillor) - Notice to rescind a Council Resolution - Implementation program to facilitate the implementation of the Animal Management (Cats and Dogs) Act 2008

#### Summary

Councillor Damien Tessmann is seeking to rescind a motion adopted by Council at its ordinary meeting held on Wednesday 30 June 2010 in Kingaroy regarding the implementation program for the Animal Management (Cats and Dogs) Act 2008.

#### Officer's Recommendation

That the following recommendation and resolution be rescinded:

That Council endorse the following implementation program in order to facilitate the implementation of the *Animal Management (Cats and Dogs) Act 2008*:

- ❖ As at 1 October 2010 it will become compulsory for all the cats and dogs, except for working dogs, within the South Burnett Regional Council area to be registered from when the animal reaches 12 weeks of age or older. Registration will continue until the 31 October 2011. This will mean that existing registered dogs will be registered for 16 months and the new cats and Non Defined Area dogs will be effectively registered for 13 months. This transition is to bring all registrable cats and dogs to the one renewal date, namely 31 October. Cats and dogs will then be registered for the normal 12 month period. The benefits of this new renewal date are that there should be economies of scale when issuing renewals, and this peak demand for customer service will not coincide with rate payments. Additionally there will no longer be any problems having the next financial year registration fee set before the expiry of the existing renewal date.

- ❖ The proposed fee structure for the registration of cats and dogs is:

<b>Defined Area Entire Dog</b>	<b>130.00</b>
<b>Defined Area Entire Dog – Microchipped</b>	<b>100.00</b>
<b>Defined Area Desexed Dog</b>	<b>50.00</b>
<b>Defined Area Desexed Dog – Microchipped</b>	<b>25.00</b>
<b>Defined Area Entire Cat btwn Oct – Nov 2010 (microchipped or not)</b>	<b>30.00</b>
<b>Defined Area Desexed Cat between Oct – Nov 2010 (microchipped or not)</b>	<b>15.00</b>
<b>Defined Area Entire Cat after Nov 2010</b>	<b>130.00</b>
<b>Defined Area Entire Cat after Nov 2010 – Microchipped</b>	<b>100.00</b>
<b>Defined Area Desexed Cat after Nov 2010</b>	<b>50.00</b>
<b>Defined Area Desexed Cat after Nov 2010 – Microchipped</b>	<b>25.00</b>
<b>Non Defined Area Entire Cat and Dog</b>	<b>20.00</b>
<b>Non Defined Area Desexed Cat and Dog</b>	<b>8.00</b>
<b>Breeders and Show Cat/Dog Permit (capped at 12 animals based on Entire Non Defined Area Cat/Dog )</b>	<b>240.00</b>

NOTE: 1. Residents holding the necessary Town Planning Development Approval or a registered breeder with the appropriate certification from an accredited and recognised industry body (e.g Queensland Canine Control Council), are able to keep cats or dogs in excess of the prescribed normal limit, and will be levied a maximum registration fee of \$240.00.

2. See attached maps which explain the Defined and Non Defined Areas. Inside the red outline is classified as the Defined Area, while properties outside the red outline are classed as being in the Non Defined Area.

- ❖ After 30 November 2010, cat and dog registration will be mandatory and any residents found to be owning a cat or dog, other than a working dog, not registered shall be liable for a Penalty Infringement Notice (fine) to the value of \$200.00.
- ❖ The requirement of compulsory micro-chipping of all cats and dogs, except working dogs, between the age of 8 to 12 weeks old shall be effective as of 1 October 2010. This requirement also includes all dogs and cats (irrespective of age, but not younger than 8 weeks old) at the point of sale.
- ❖ Council will endeavour to continue to assist the community with its microchipping obligations by continuing to co-ordinate subsidised microchipping days throughout the South Burnett.
- ❖ Council will continue to encourage pet owners to de-sex their cats or dogs by providing a financial differential between the entire and desexed animal registration fee, as required by the new state government legislation.
- ❖ Council will also continue with its initiative for reimbursement of the full registration fee paid between that of entire and desexed cats or dogs that were registered as entire, but have subsequently been desexed within a six (6) month period of when the animal was first registered.
- ❖ It is the intention to heavily advertise the Council's final implementation plan for the *Animal Management (Cats and Dogs) Act 2008* prior to 1 October 2010.

- ❖ Owners of cats and non defined area dogs are able to register their animal for free for the period 1 July 2010 to 30 September 2010.
- ❖ Proposed that the following number of dogs/cats be permitted on land as defined in the table:

Land Size	No. of Dogs	No. of Cats
Up to less than a 5 acre block (2.02 hectares)	2	2
5 acre (2.02 hectares) block up to an including 15 acre block (6.07 hectare)	4	4
> 15 acre block ( >6.07 hectares)	6	6

Pre-existing dog and cat limits will be accepted until numbers are reduced through natural attrition. Dog limits are in addition to any working dogs as described by the state legislation.

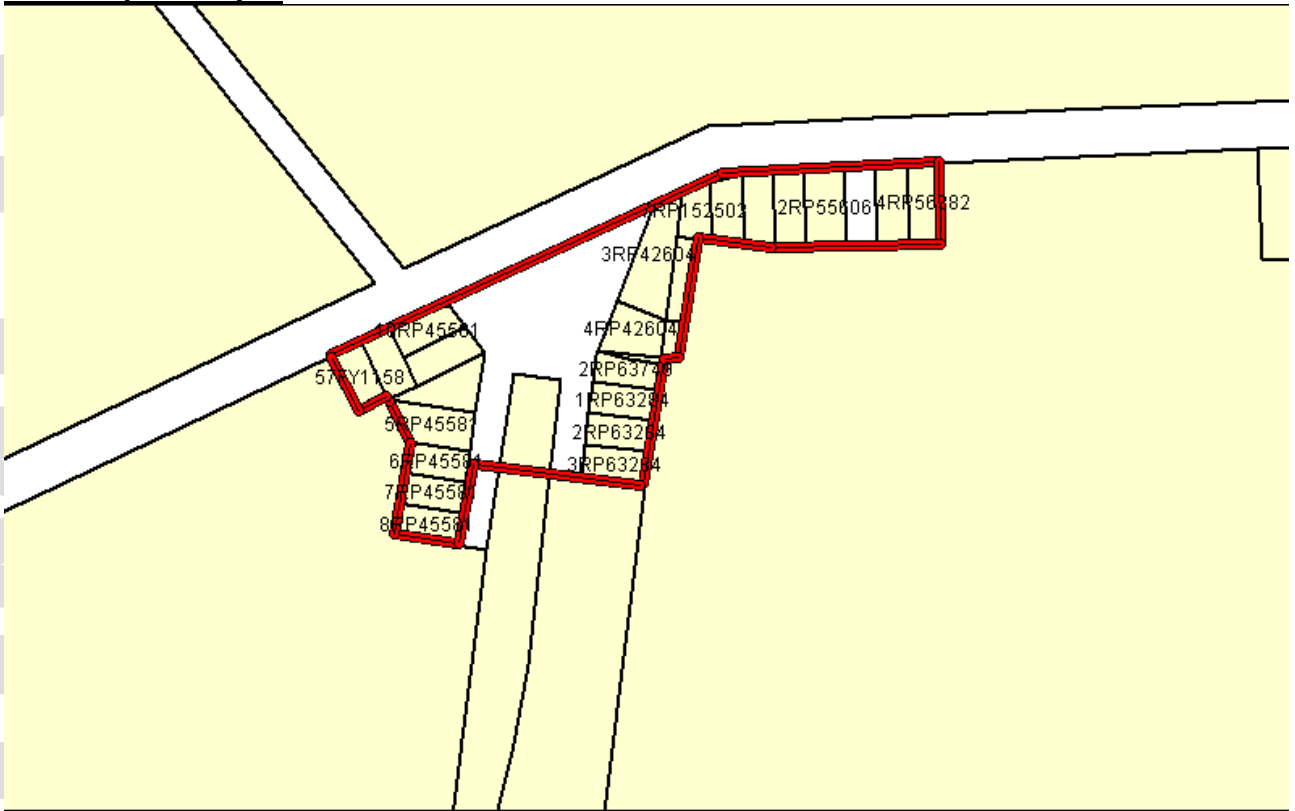
- ❖ Council will change the Impounding Policy and its associated fee structure in an attempt to reward those, “doing the right thing” and penalise those who are not compliant. That is:
  1. Where a dog or cat is noted on public land and no perceived public safety issues were observed and the animal returns to its owner’s property, Council officers will attempt to contact the owner to discuss the matter of their animal wandering at large.
  2. Where a dog or cat is found at large on public land and the animal is registered and/or microchipped and the owner can be readily contacted, while the Council officer is still in the field, and the owner’s property is in the vicinity, then Council will attempt to return the animal to the owner at that time. There will be a small fee (\$50.00) associated with the return of the animal to be included in the application financial year’s Fees and Charges.
  3. Where a dog or cat is impounded, whether through an inability to contact the animal’s owner while in the field or privately, there will be a tiered impounding release fee structure for those animals that are currently registered and microchipped:

**Impounding Release Fee Table**

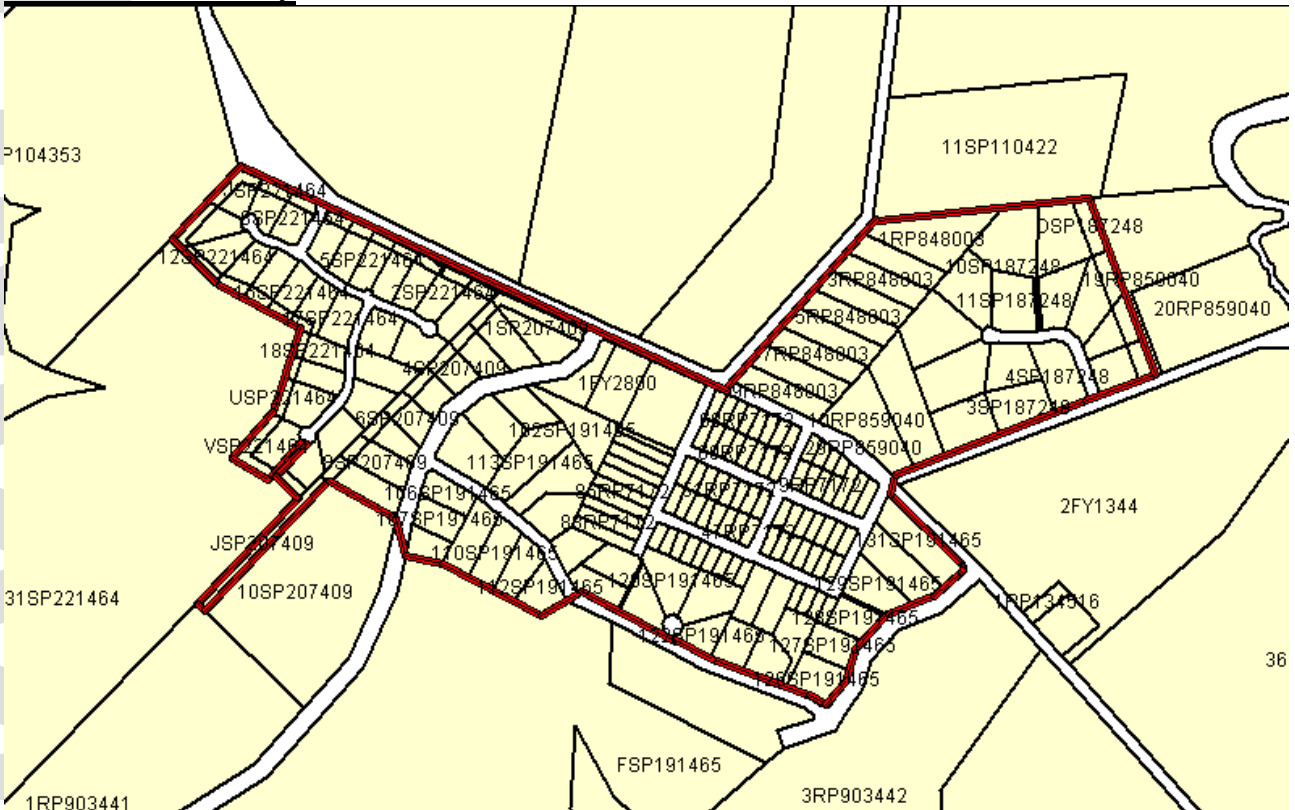
First Impounding Release Fee (1 <sup>st</sup> )	90.00
Second Impounding Release Fee (2 <sup>nd</sup> )	135.00
Third (and subsequent) Impounding Release Fee (3 <sup>rd</sup> )	185.00

4. The Impounding Release fee for an unregistered dog or cat will remain at \$165.00. Where the owner of the animal is not prepared to reclaim the animal a Penalty Infringement Notice (PIN) of \$200.00 may be issued for failure to register the dog or cat as required by the state government legislation.
5. It is proposed that Council’s Animal Impounding Local Law require impounded dogs and cats to be microchipped prior to release from the Council’s Animal Housing Facilities.

**Township of Cloyna**



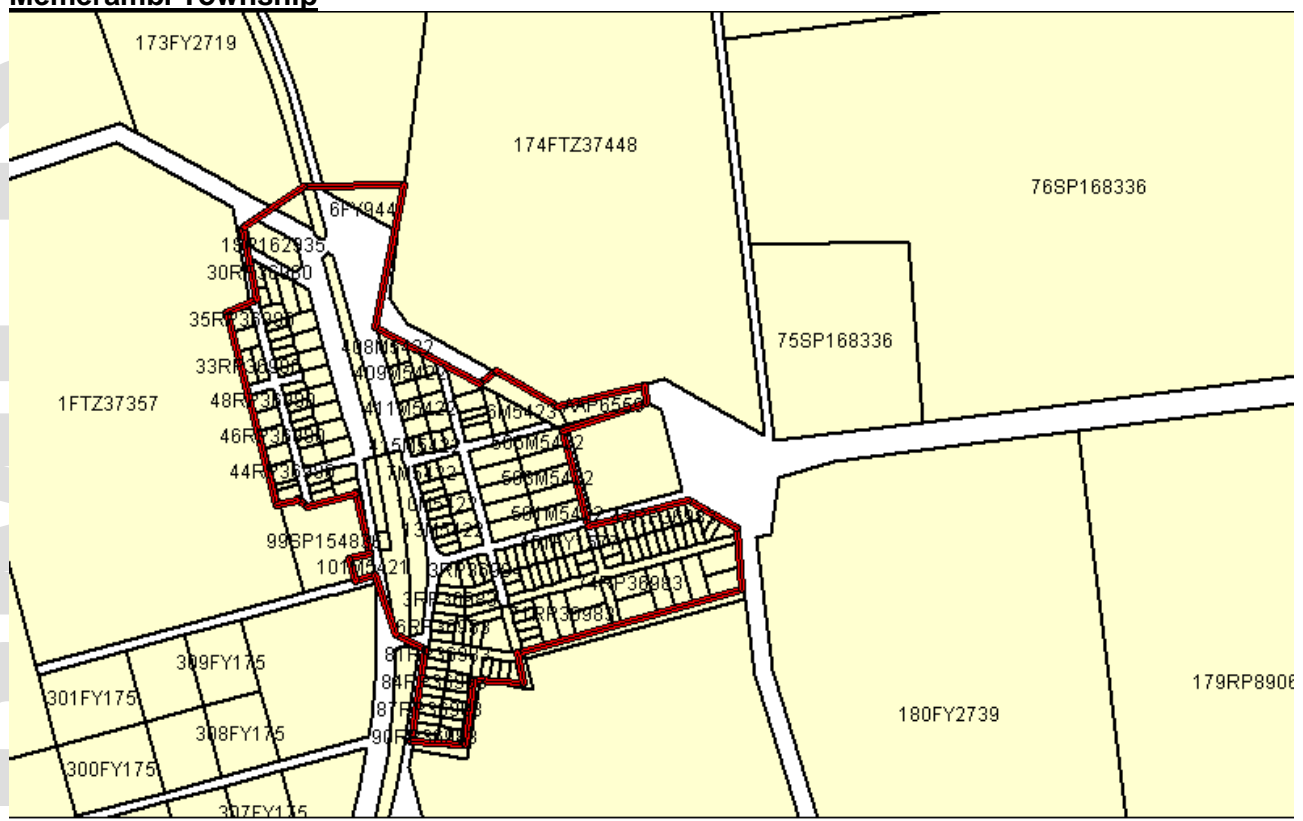
**Moffatdale Township**



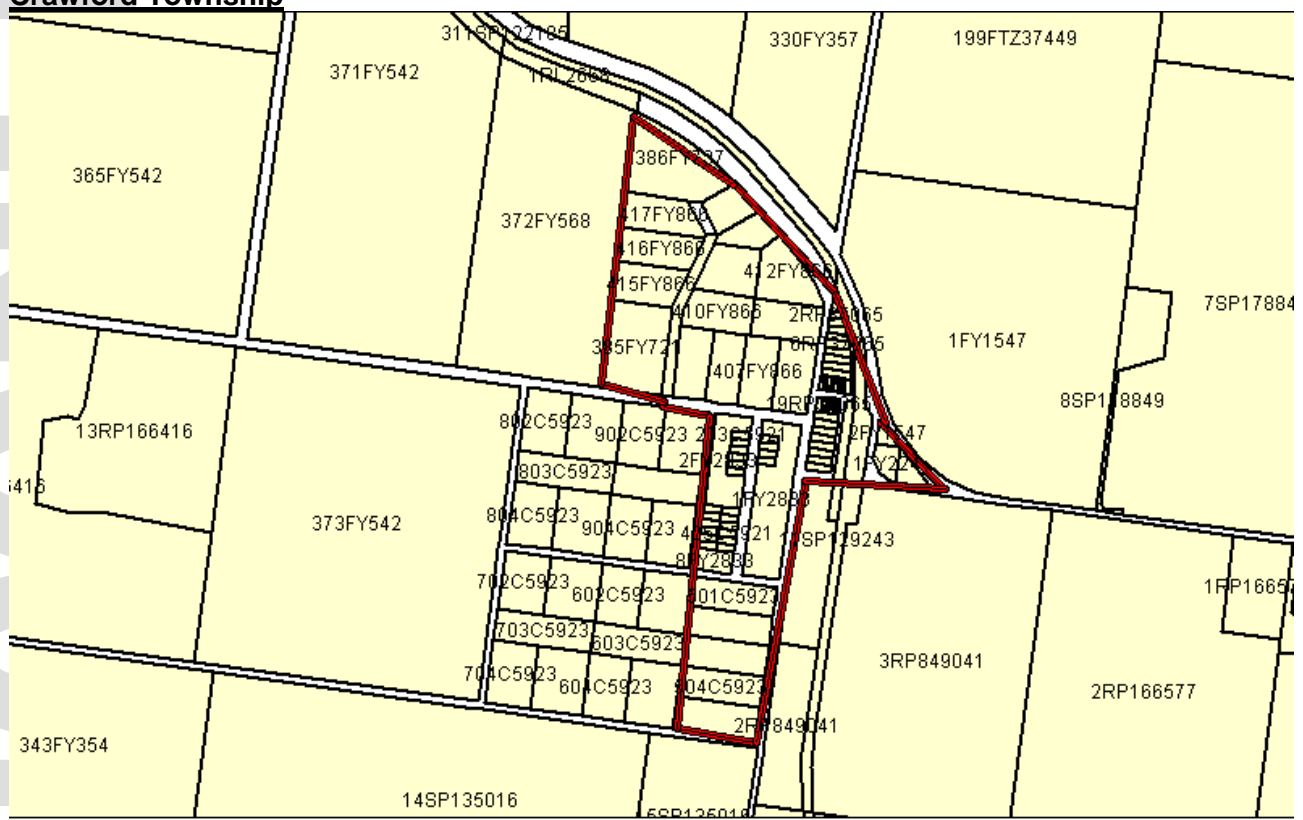




**Memerambi Township**



**Crawford Township**

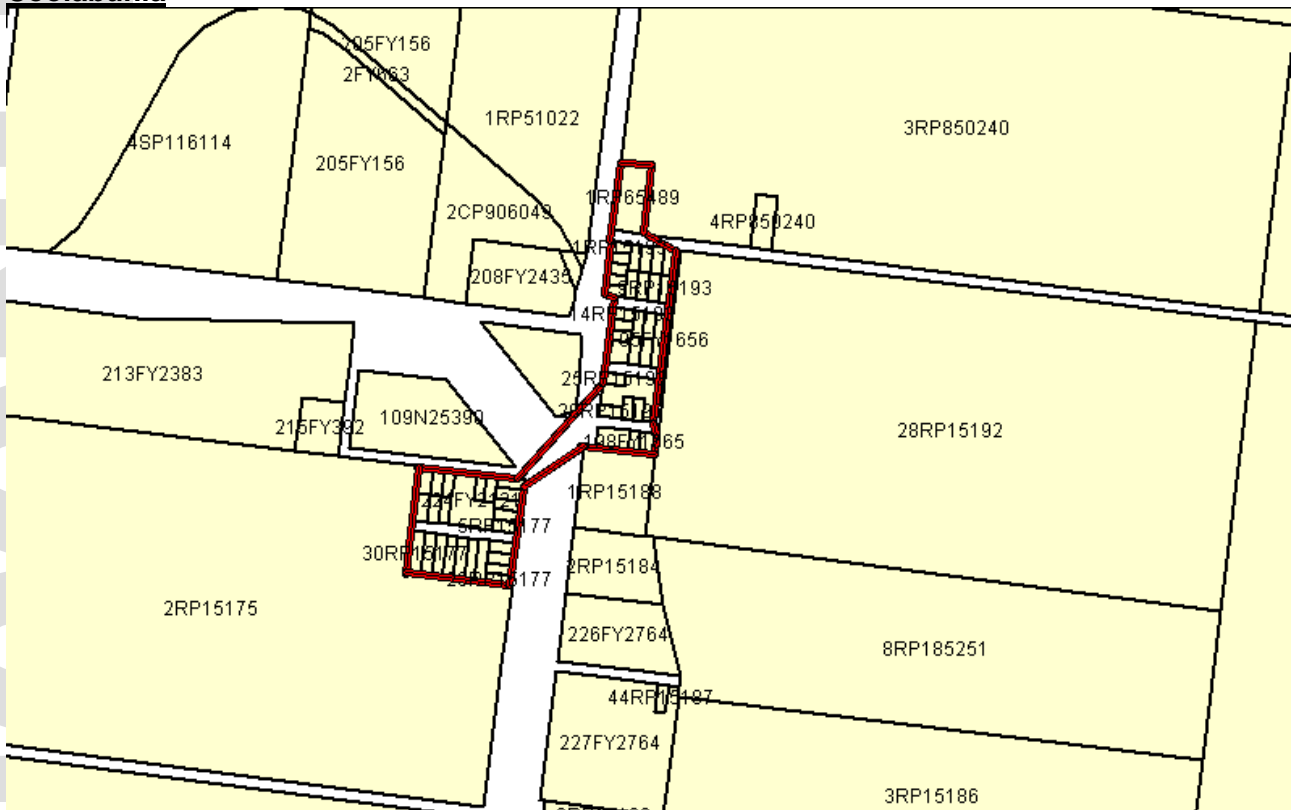




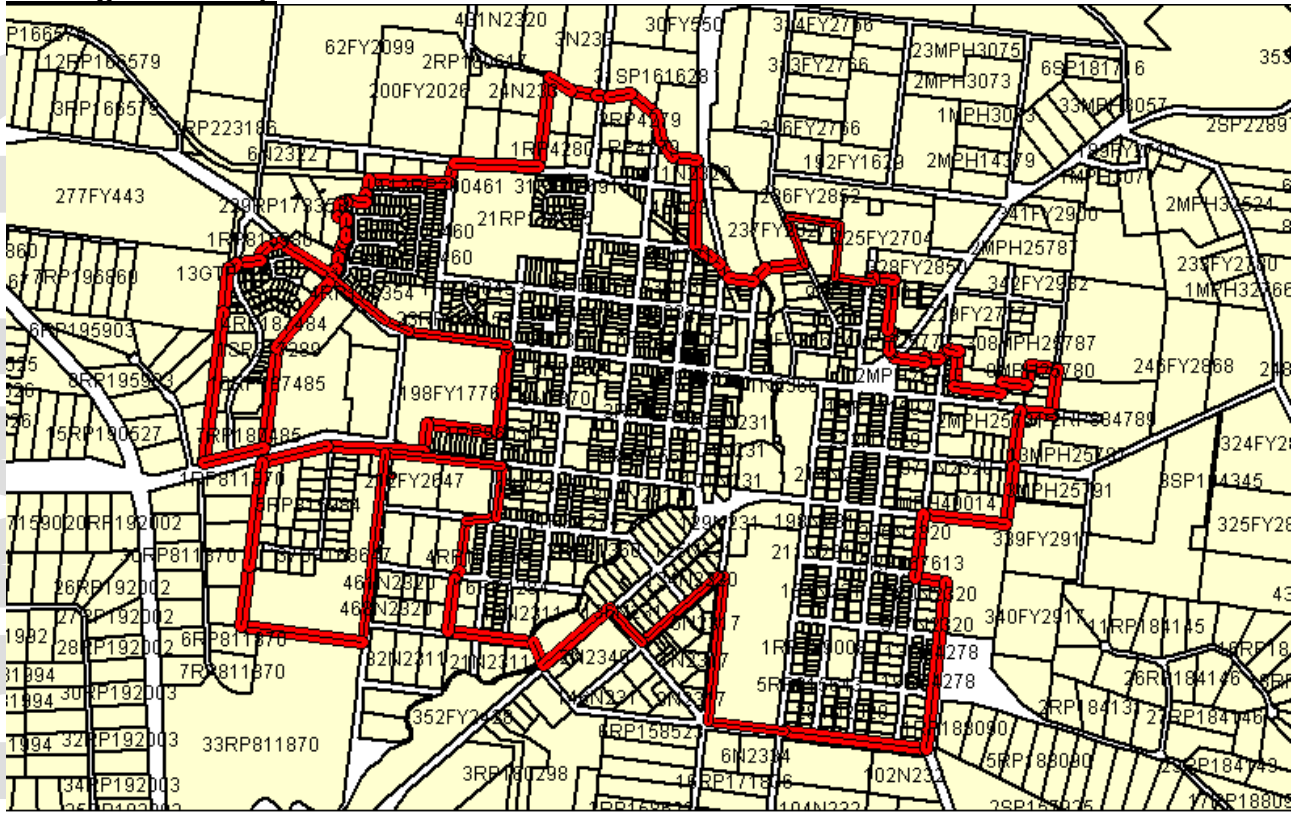
**Kumbia Township**



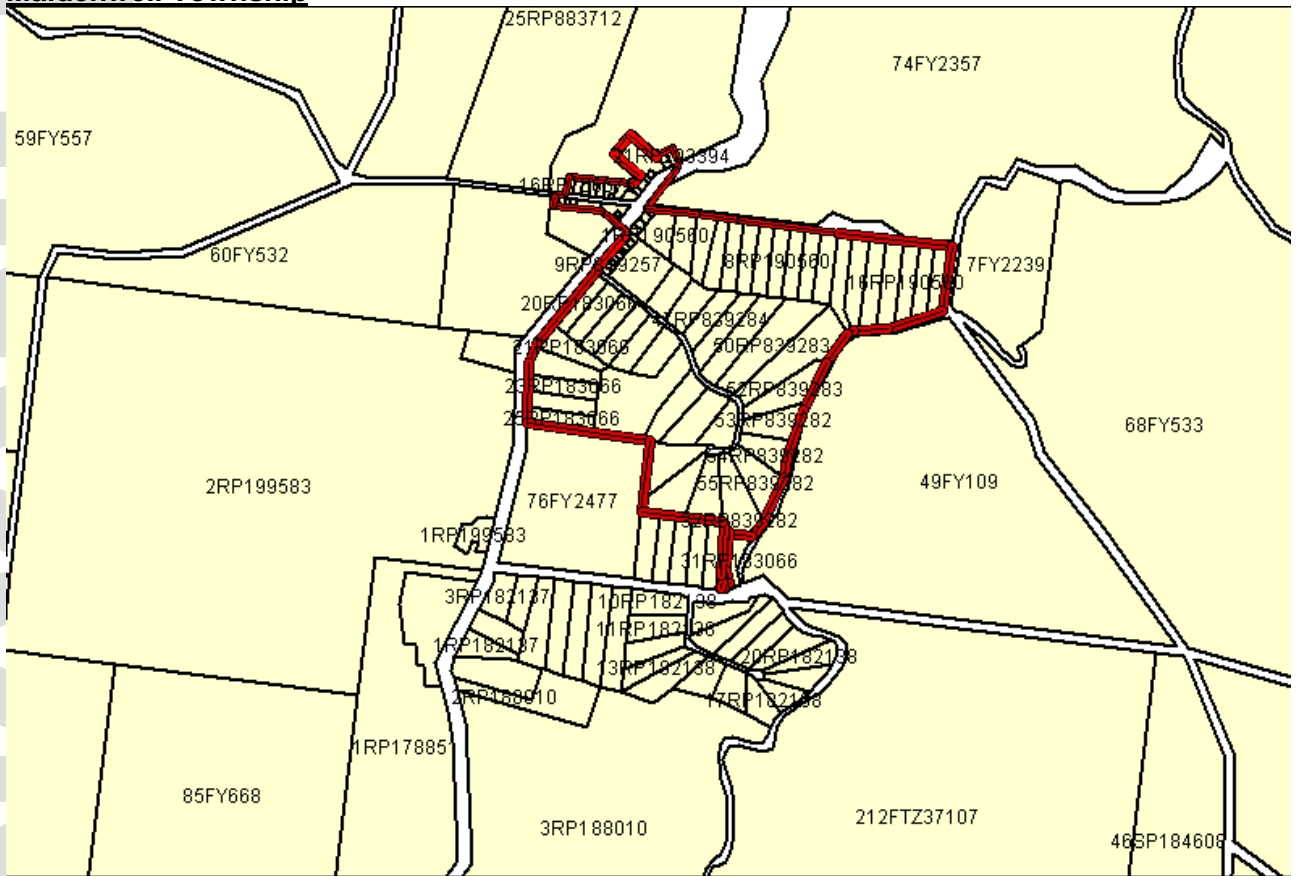
**Coolabunia**



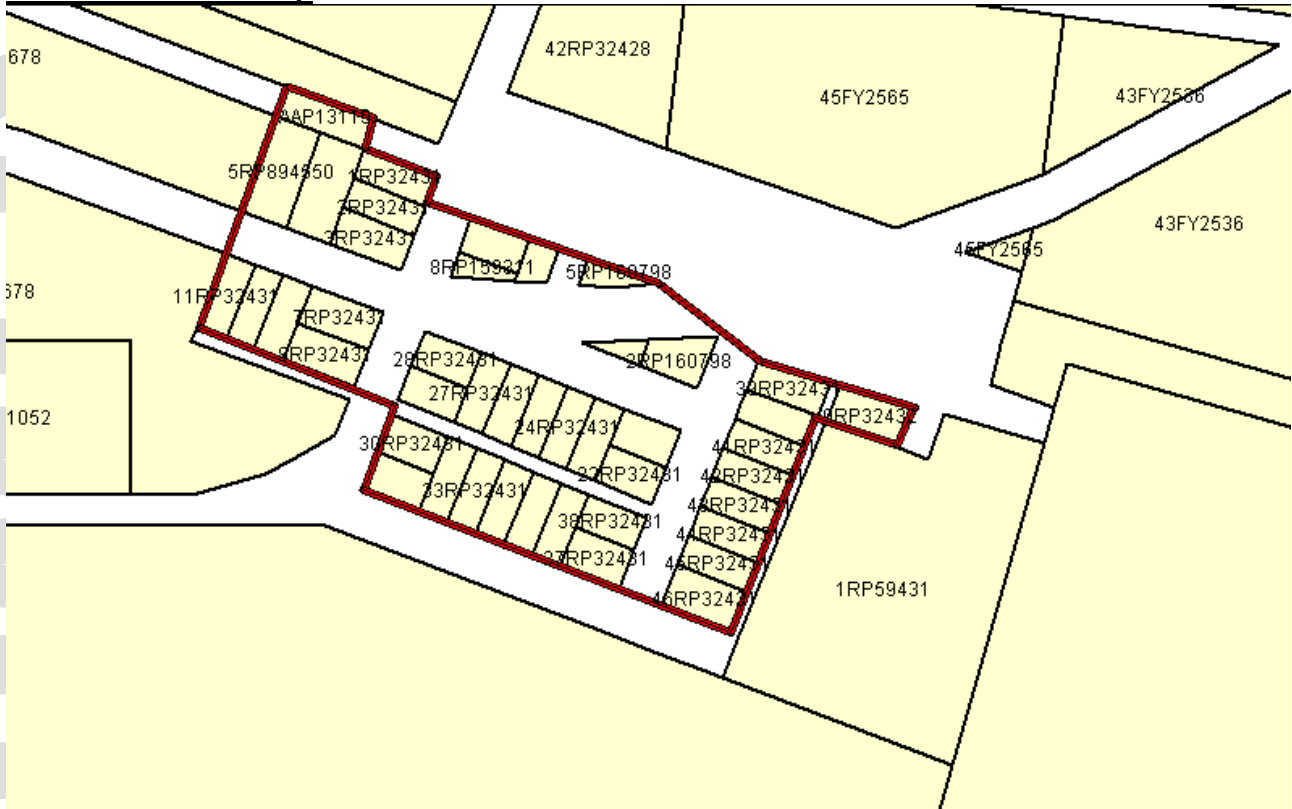
**Nanango Township**



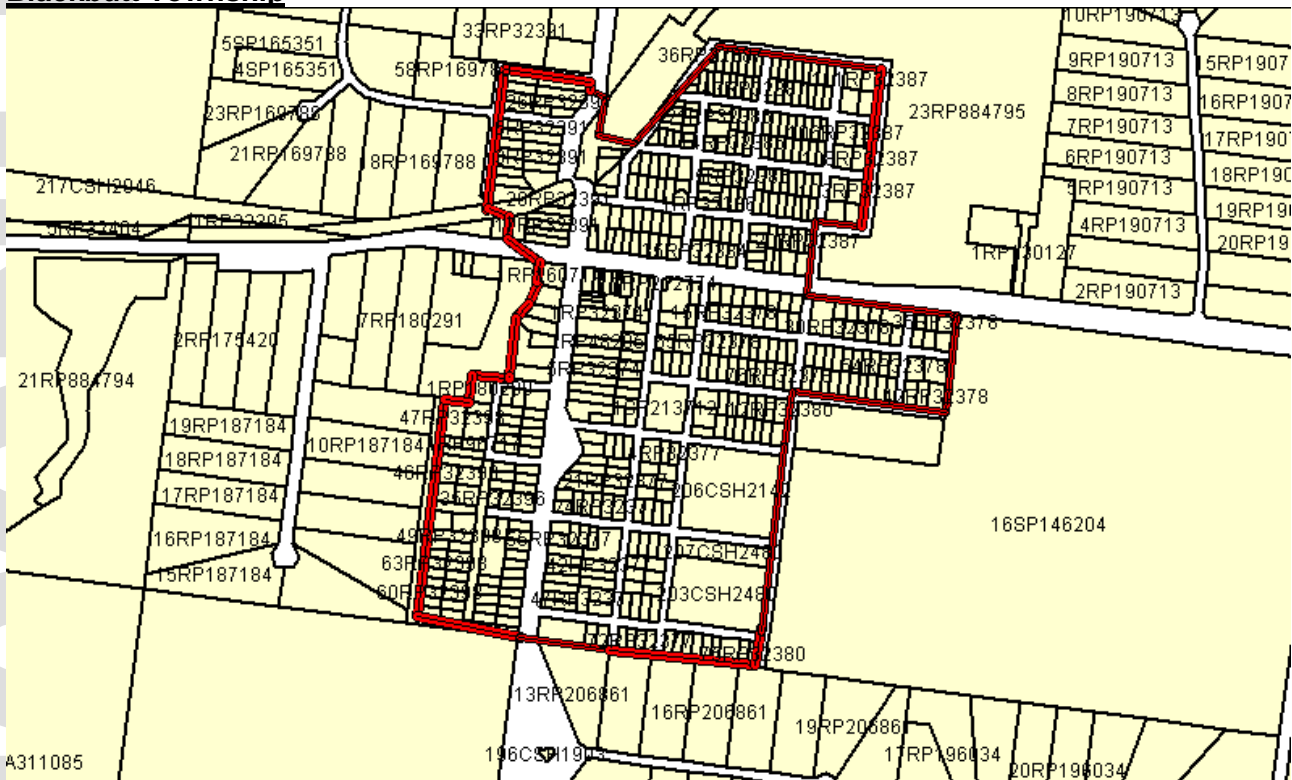
**Maidenwell Township**



**Brooklands Township**

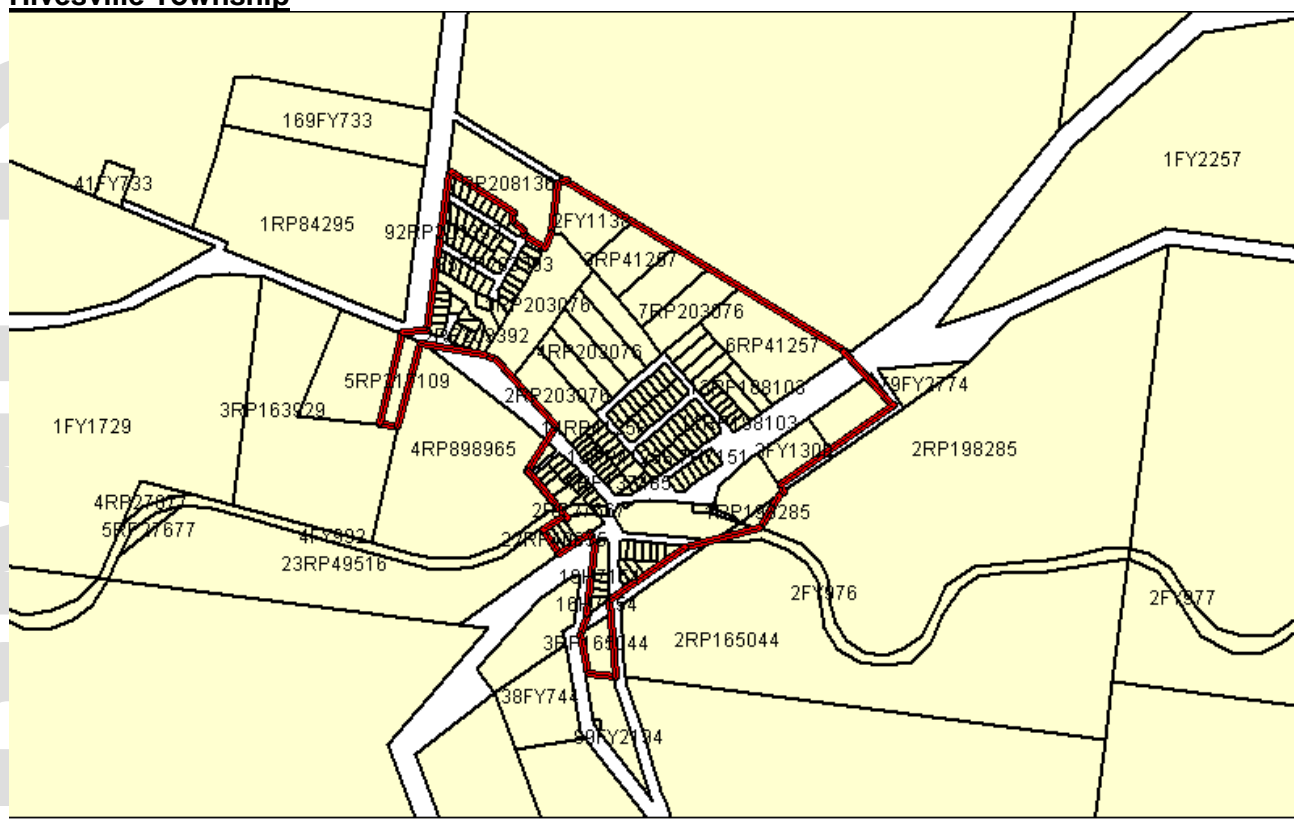


**Blackbutt Township**

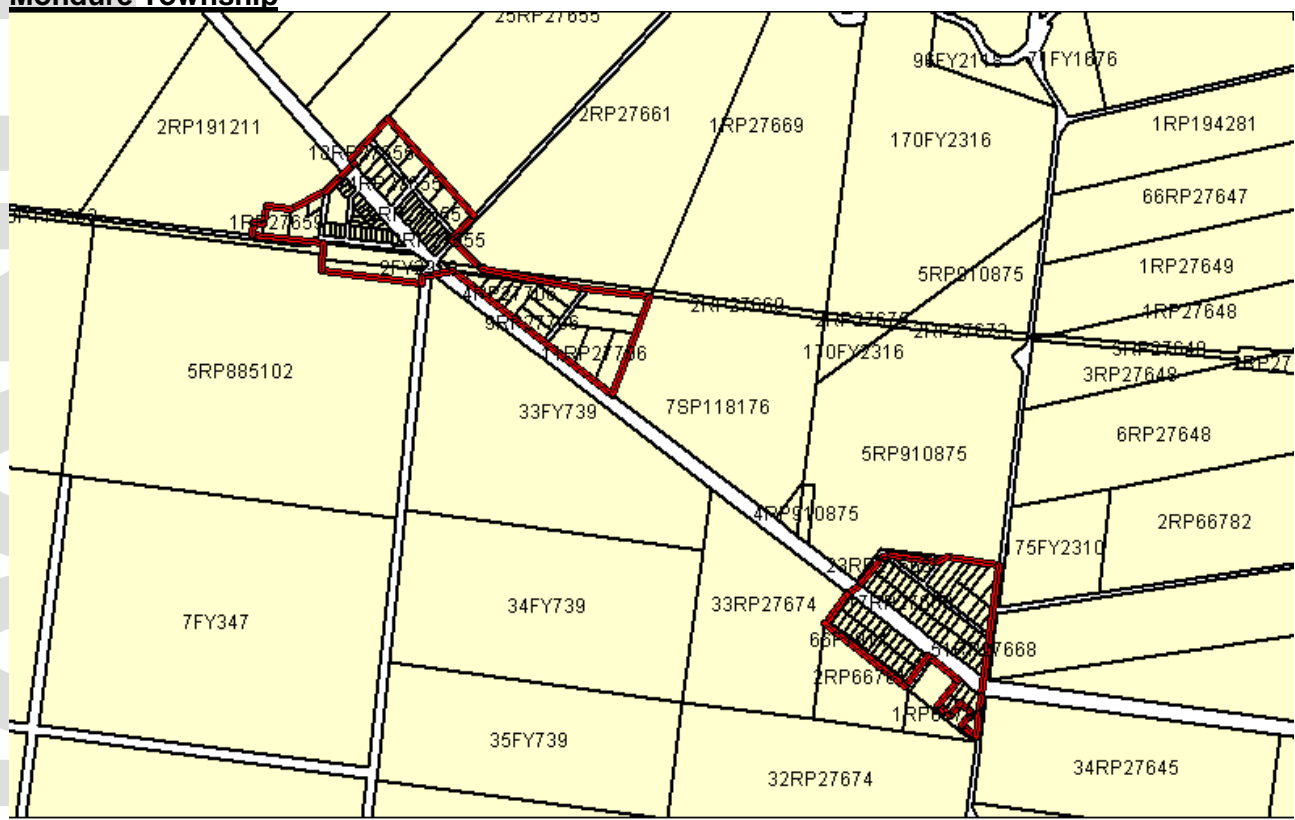




**Hivesville Township**



**Mondure Township**



**Resolution:**

*Moved Cr DP Tessmann, seconded Cr CD Dalton.*

*That the Officer's Recommendation be adopted subject to the inclusion of Lot 1 RP43731 in the Wooroolin Village designated area and an amended Maidenwell Village map be presented to the next Council meeting*

*Carried 7/0*

*FOR VOTE - All Councillors voted unanimously*

**Resolution:**

*Moved Cr DP Tessmann, seconded Cr CD Dalton.*

*That in light of the information provided by the Minister for Local Government & Aboriginal & Torres Strait Islander Partnerships in her letter dated 19 August 2010, Council not proceed with the recission motion.*

*Carried 7/0*

*FOR VOTE - All Councillors voted unanimously*

### **7.1.2 ES - 893927 - Amendment to Animal Management (Cats and Dogs) implementation plan**

**Summary**

A review of the proposed Defined Area maps was undertaken as requested, from the 14 July 2010 Council Meeting, in order to ensure that rural residential areas were accurately reflected. This has been done and the following maps are included for the Council's confirmation.

Based on information that we have received from the Department of Infrastructure and Planning, Council may need to reconsider its early implementation date for the Animal Management (Cats and Dogs) Act. In light of this it may be appropriate to pre-empt a negative reply from the State Government and change the implementation date for the mandatory provisions of the Act.

The benefits of this new renewal date are that there should be economies of scale when issuing renewals, and this peak demand for customer service will not coincide with rate payments. Additionally there will no longer be any problems having the next financial year registration fee set before the expiry of the existing renewal date.

**Officer's Recommendation**

That Council endorse the following implementation program in order to facilitate the implementation of the *Animal Management (Cats and Dogs) Act 2008*:

- As at 12 December 2010 it will become compulsory for all the cats and dogs, except for working dogs, within the South Burnett Regional Council area to be registered from when the animal reaches 12 weeks of age or older. Registration will continue until the 31 October 2011. This will mean that existing registered dogs will be registered for 16 months and the new cats and Non Defined Area dogs will be effectively registered for 13 months. This transition is to bring all registrable cats and dogs to the one renewal date, namely 31 October. Cats and dogs will then be registered for the normal 12 month period.

- The proposed fee structure for the registration of cats and dogs is:

**CATS AND DOGS**

Defined Area Entire Dog	\$130.00
Defined Area Entire Dog – Microchipped	\$100.00
Defined Area Desexed Dog	\$50.00
Defined Area Desexed Dog – Microchipped	\$25.00
Defined Area Cat between July - Sept 2010	FREE
Defined Area Entire Cat between Oct – 12 Dec 2010 (microchipped or not)	\$30.00
Defined Area Desexed Cat between Oct – 12 Dec 2010 (microchipped or not)	\$15.00
Defined Area Entire Cat after 12 December 2010	\$130.00
Defined Area Entire Cat after 12 December 2010 – Microchipped	\$100.00
Defined Area Desexed Cat after 12 December 2010	\$50.00
Defined Area Desexed Cat after 12 December 2010 – Microchipped	\$25.00
Non Defined Area (Rural) Cat or Dog between July - 12 December 2010	FREE
Non Defined Area Entire Cat or Dog after 12 December 2010	\$20.00
Non Defined Area Desexed Cat or Dog after 12 December 2010	\$8.00
Breeders and Show Cat or Dog Permit	\$240.00

NOTE: 1. Residents holding the necessary Town Planning Development Approval or a registered breeder with the appropriate certification from an accredited and recognised industry body (e.g Queensland Canine Control Council), are able to keep cats or dogs in excess of the prescribed normal limit, and will be levied a maximum registration fee of \$240.00.

2. See attached maps which explain the Defined and Non Defined Areas. Inside the red outline is classified as the Defined Area, while properties outside the red outline are classed as being in the Non Defined Area.

- After 12 December 2010, cat and dog registration will be mandatory and any residents found to be owning a cat or dog, other than a working dog, not registered shall be liable for a Penalty Infringement Notice (fine) to the value of \$200.00.
- The requirement of compulsory micro-chipping of all cats and dogs, except working dogs, between the age of 8 to 12 weeks old shall be effective as of 12 December 2010. This requirement also includes all dogs and cats (irrespective of age, but not younger than 8 weeks old) at the point of sale.
- Council will endeavour to continue to assist the community with its microchipping obligations by continuing to co-ordinate subsidised microchipping days throughout the South Burnett.
- Council will continue to encourage pet owners to de-sex their cats or dogs by providing a financial differential between the entire and desexed animal registration fee, as required by the new state government legislation.
- Council will also continue with its initiative for reimbursement of the full registration fee paid between that of entire and desexed cats or dogs that were registered as entire, but have subsequently been desexed within a six (6) month period of when the animal was first registered.
- A 100% rebate of the cost difference between that of a non microchipped dog or cat and a microchipped dog or cat for the relevant fee paid, where a dog or cat has been registered as not microchipped but subsequently microchipped within six (6) months.
- Registration of a cat or dog from the RSPCA or Council’s Animal Housing Facilities be at 50% discount of the applicable fee.

- It is the intention to heavily advertise the Council's final implementation plan for the *Animal Management (Cats and Dogs) Act 2008* prior to 12 December 2010.
- Proposed that the following number of dogs/cats be permitted on land as defined in the table below:

Land Size	No. of Dogs	No. of Cats
Up to less than a 5 acre block (2.02 hectares)	2	2
5 acre (2.02 hectares) block up to an including 15 acre block (6.07 hectare)	4	4
> 15 acre block ( >6.07 hectares)	6	6

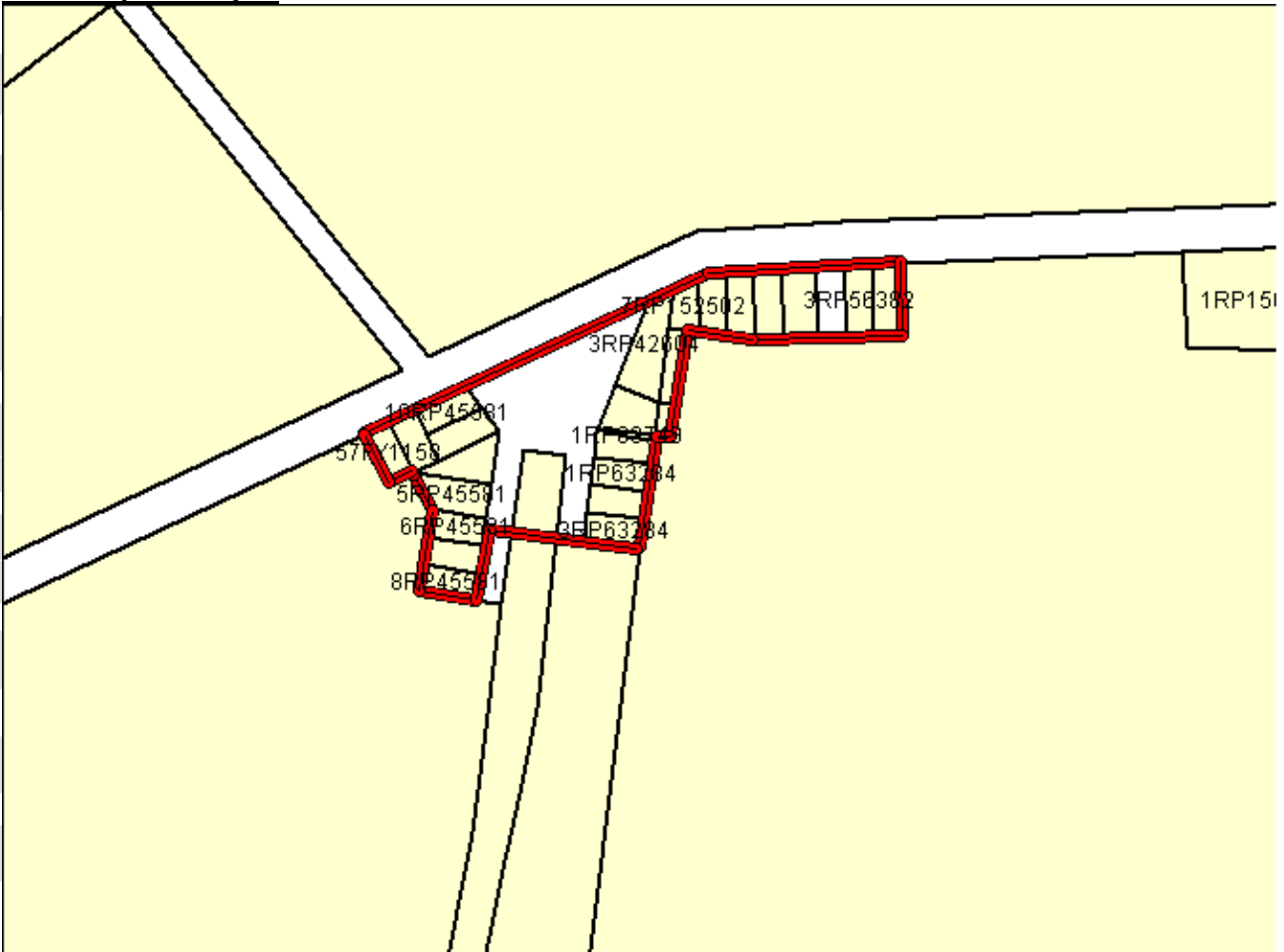
Pre-existing dog and cat limits will be accepted until numbers are reduced through natural attrition. Dog limits are in addition to any working dogs as described by the state legislation.

- Council will change the Impounding Policy and its associated fee structure in an attempt to reward those, “doing the right thing” and penalise those who are not compliant. That is:
  1. Where a dog or cat is noted on public land and no perceived public safety issues were observed and the animal returns to its owner’s property, Council officers will attempt to contact the owner to discuss the matter of their animal wandering at large.
  2. Where a dog or cat is found at large on public land and the animal is registered and/or microchipped and the owner can be readily contacted, while the Council officer is still in the field, and the owner’s property is in the vicinity, then Council will attempt to return the animal to the owner at that time. There will be a small fee (\$50.00) associated with the return of the animal to be included in the application financial year’s Fees and Charges.
  3. Where a dog or cat is impounded, whether through an inability to contact the animal’s owner while in the field or privately, there will be a tiered impounding release fee structure for those animals that are currently registered and microchipped:

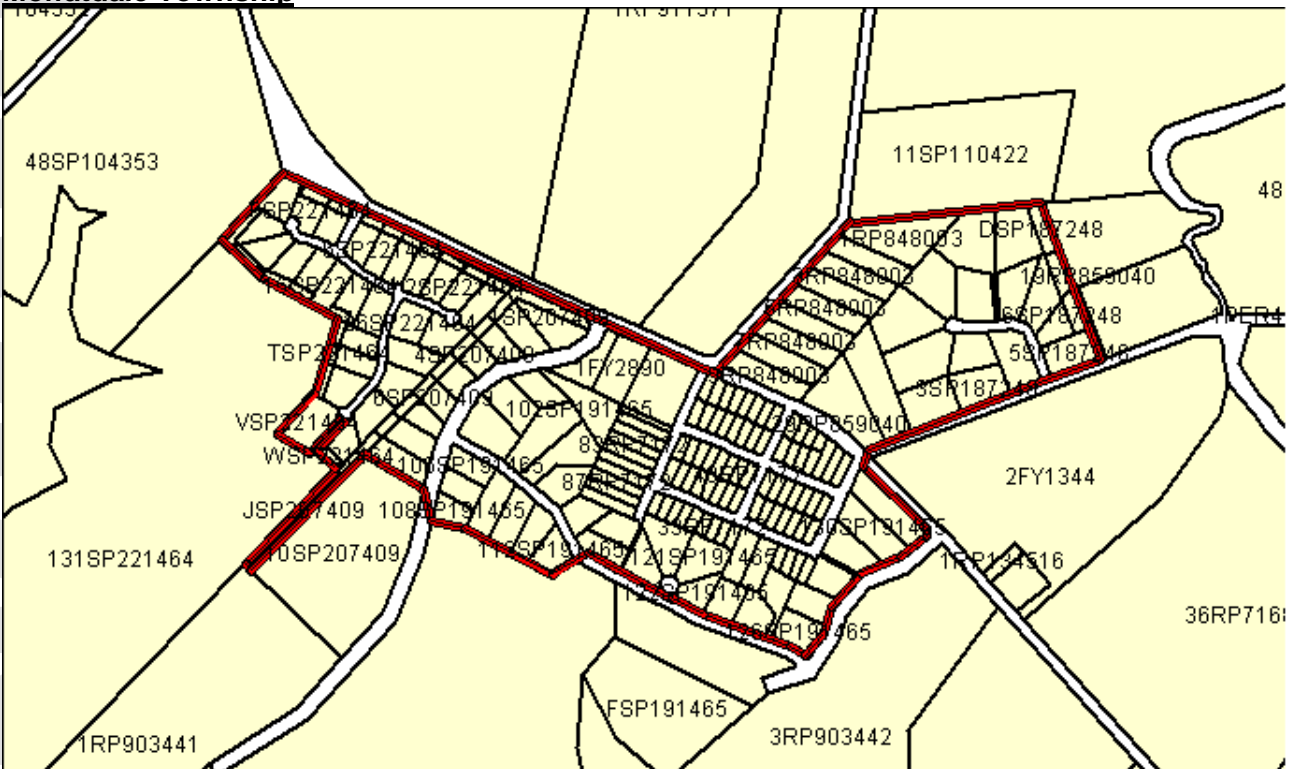
First Impounding Release Fee	\$90.00
Second Impounding Release Fee	\$135.00
Third (and subsequent) Impounding Release Fee	\$185.00

4. The Impounding Release fee for an unregistered dog or cat will remain at \$165.00. Where the owner of the animal is not prepared to reclaim the animal a Penalty Infringement Notice (PIN) of \$200.00 may be issued for failure to register the dog or cat as required by the state government legislation.
  5. It is proposed that Council’s Animal Impounding Local Law require impounded dogs and cats to be microchipped prior to release from the Council’s Animal Housing Facilities.
- The following maps outline the proposed defined area Animal (Cats & Dogs) Maps for the South Burnett region:

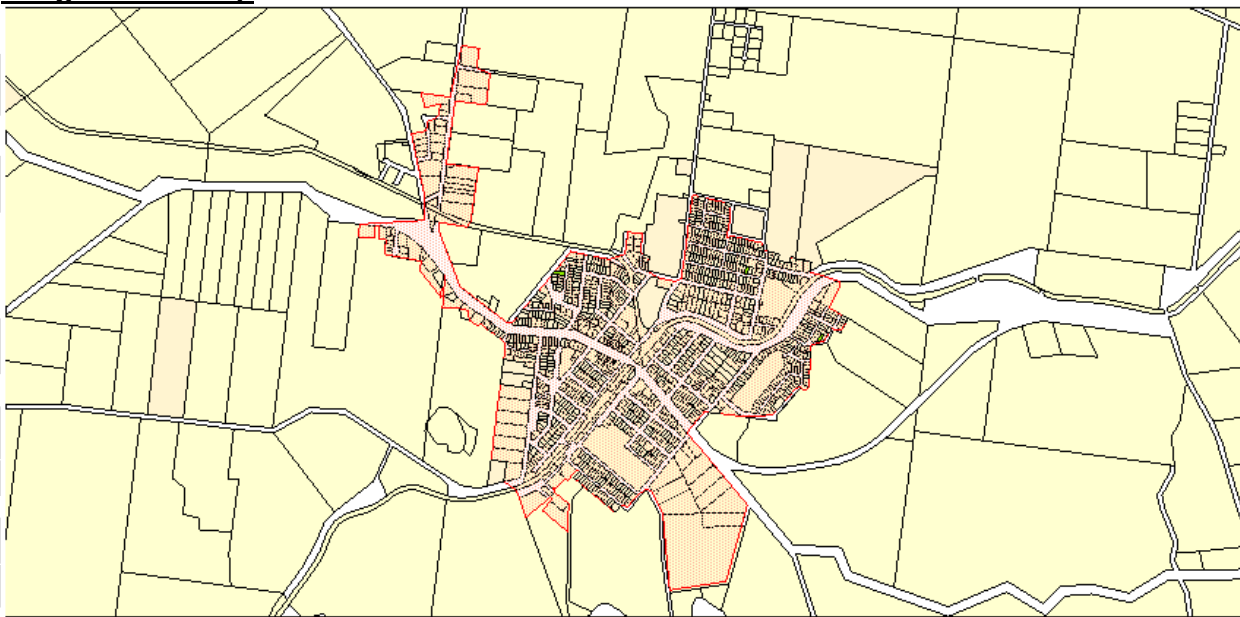
**Township of Cloyna**



**Moffatdale Township**



**Murgon Township**



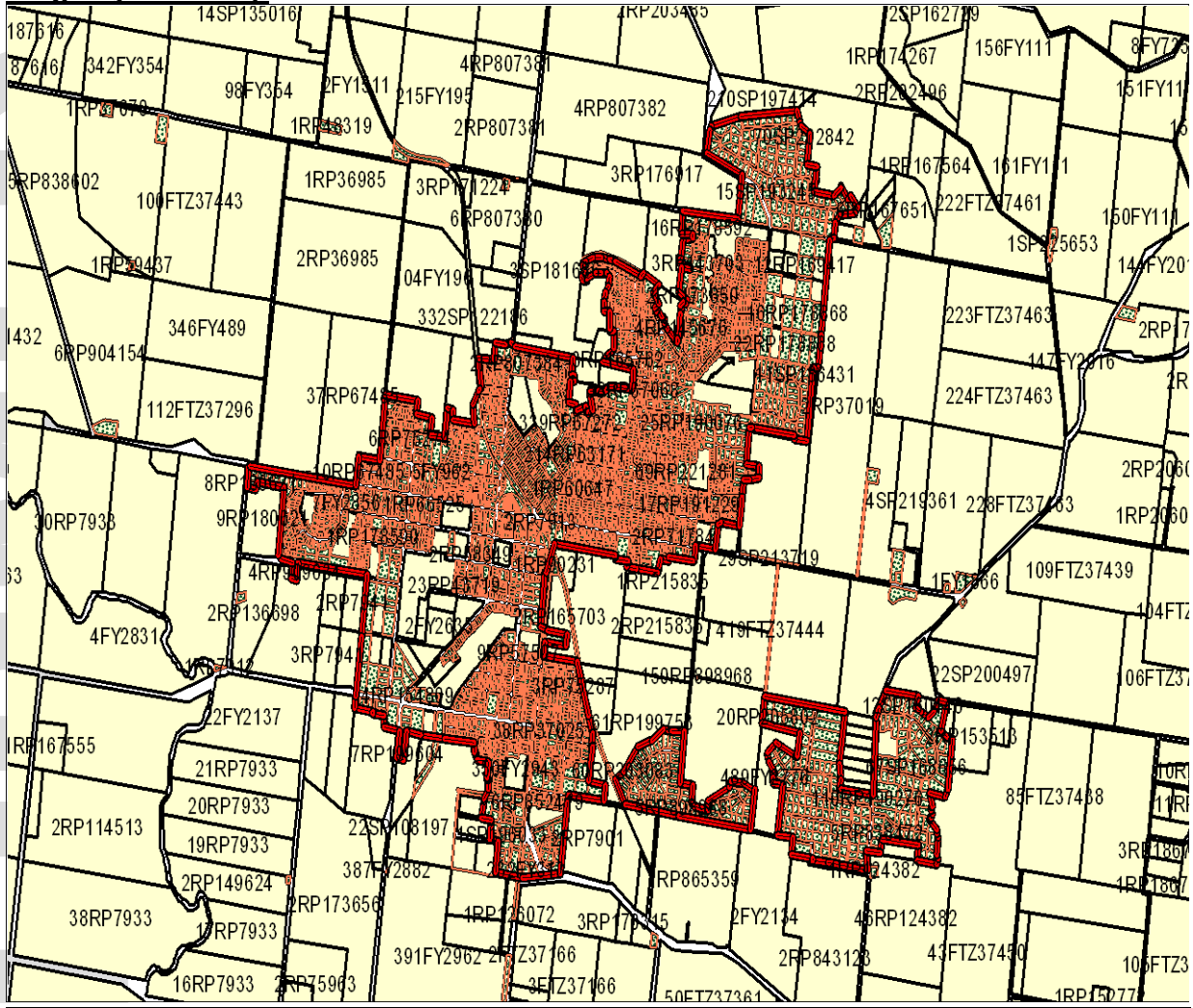
**Wondai Township**







**Kingaroy Township**



UNCONFIRMED

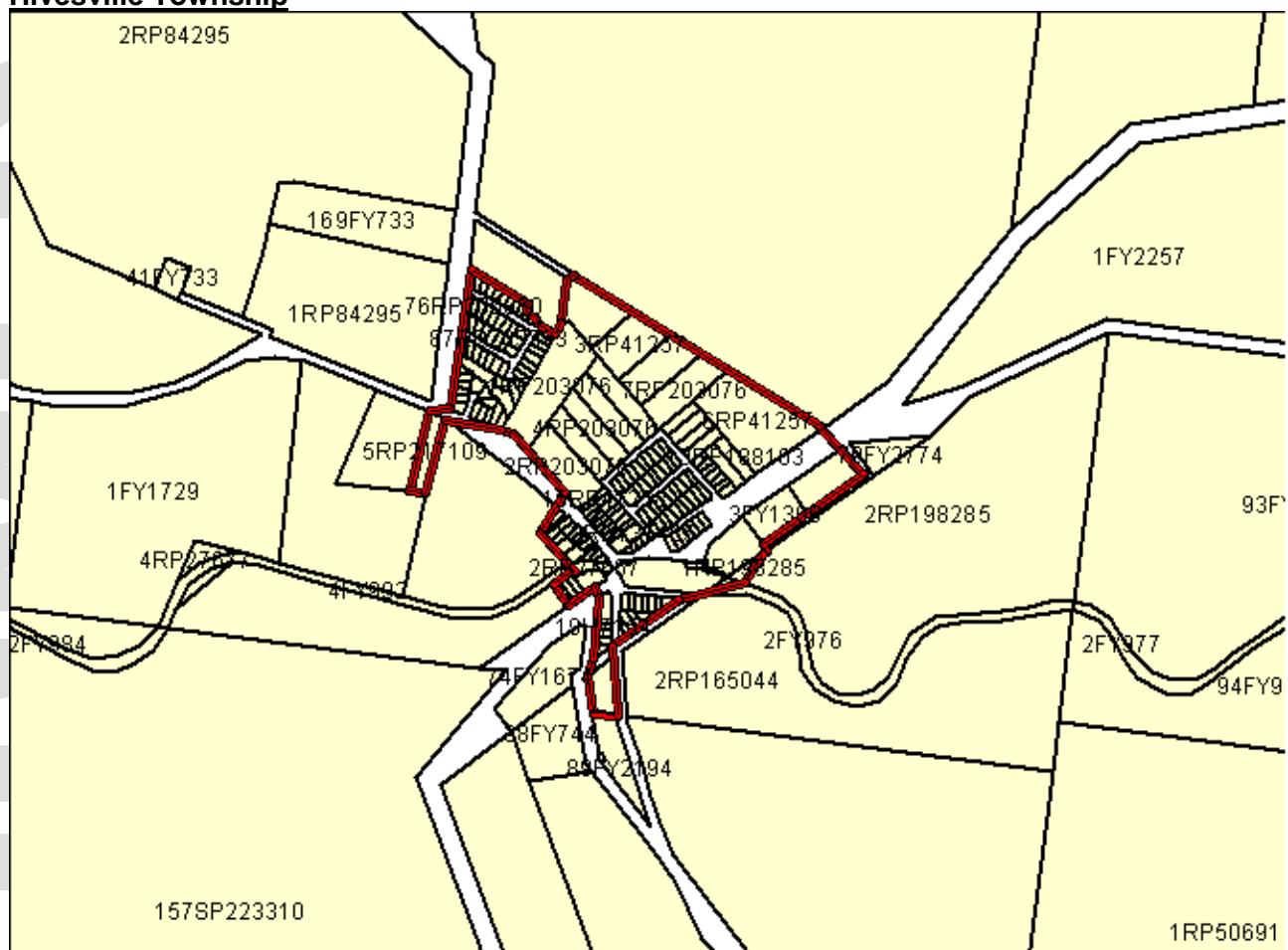






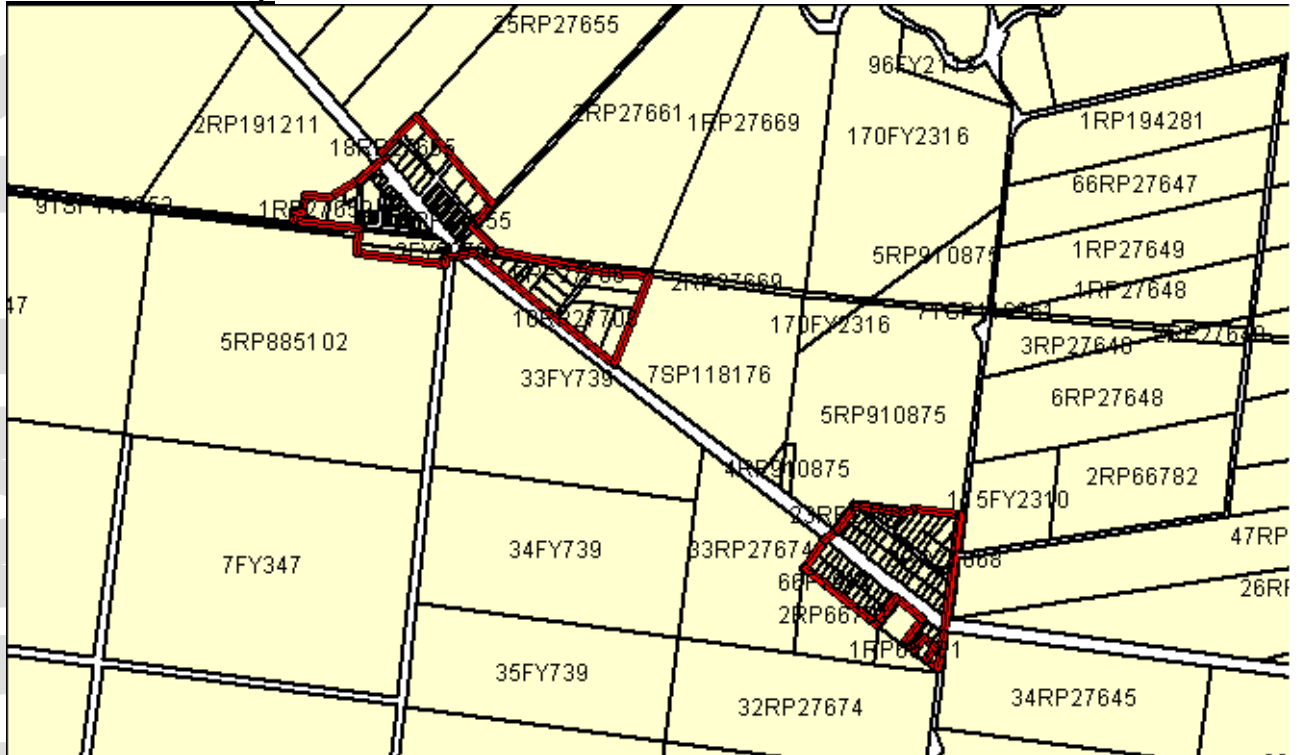


**Hivesville Township**



UNCONFIRMED

**Mondure Township**



**Resolution:**

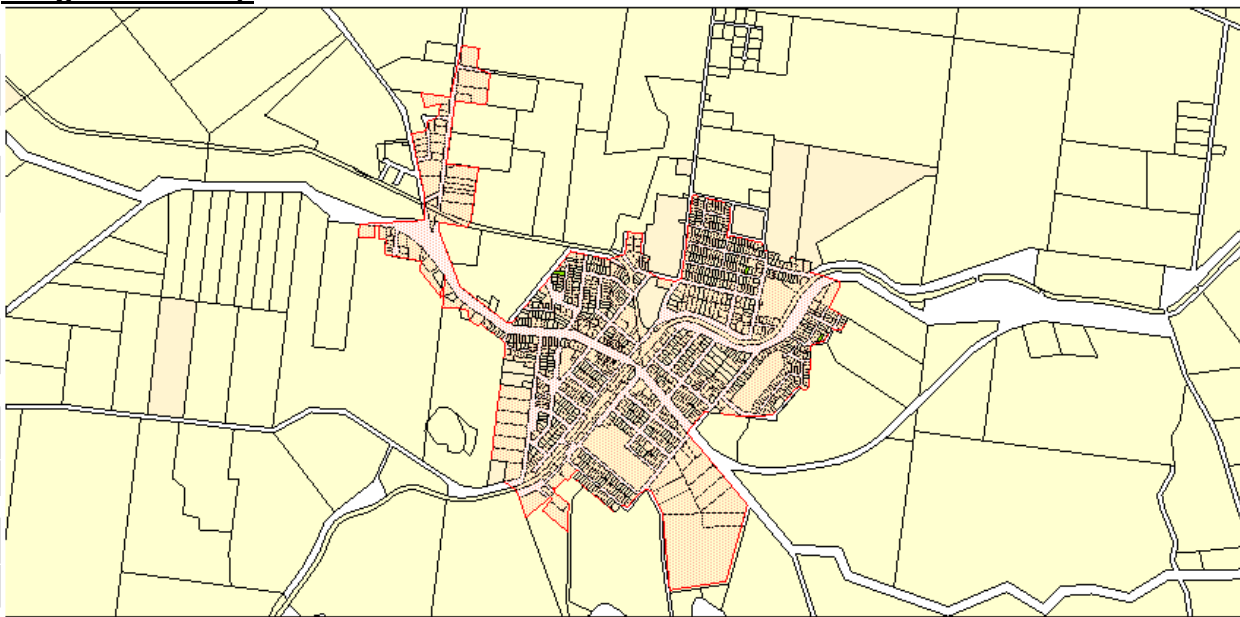
*Moved Cr DP Tessmann, seconded Cr DJ Palmer.*

*That Council endorse the following amended defined area maps for the implementation of the Animal Management Act 2008.*

UNCONFIRMED



**Murgon Township**

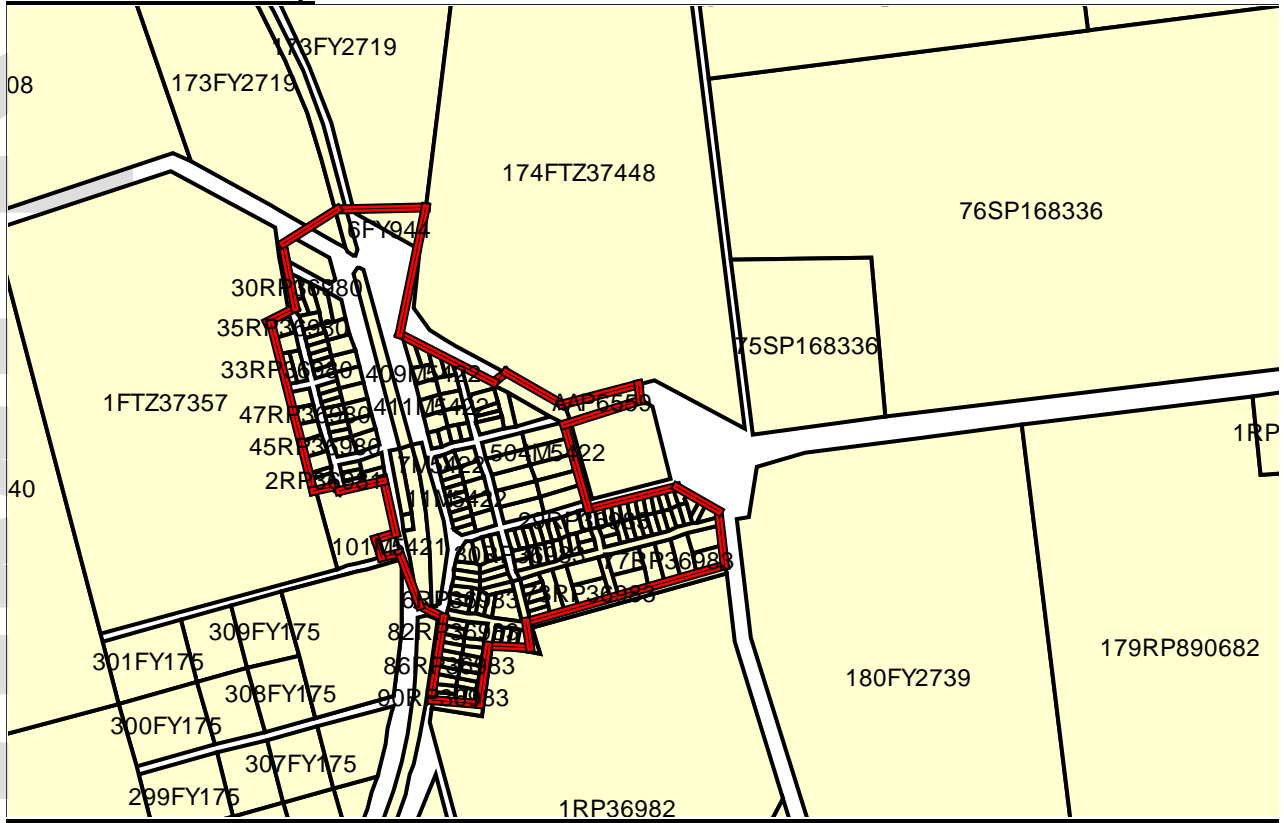


**Wondai Township**





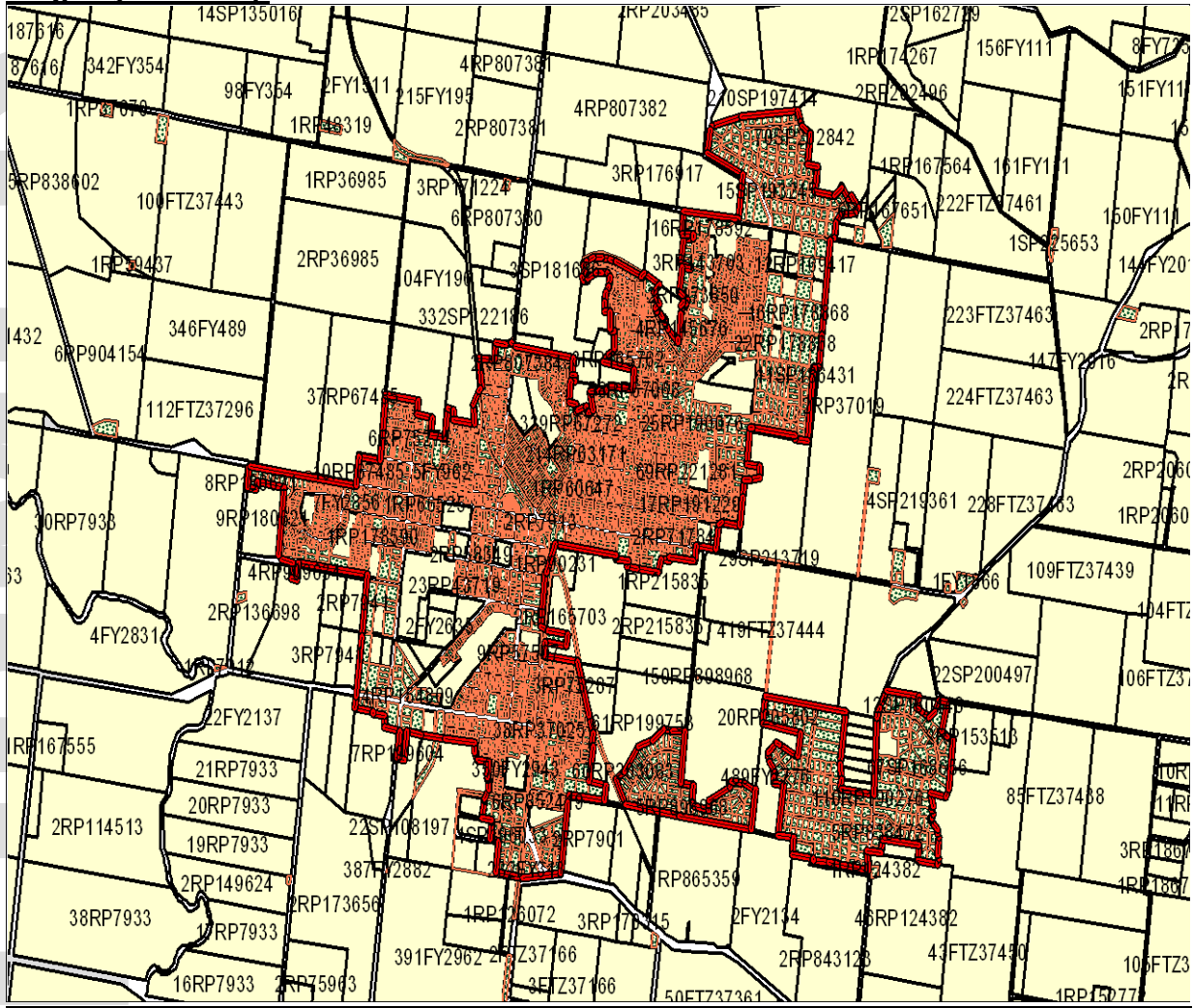
**Memerambi Township**



**Crawford Township**



**Kingaroy Township**

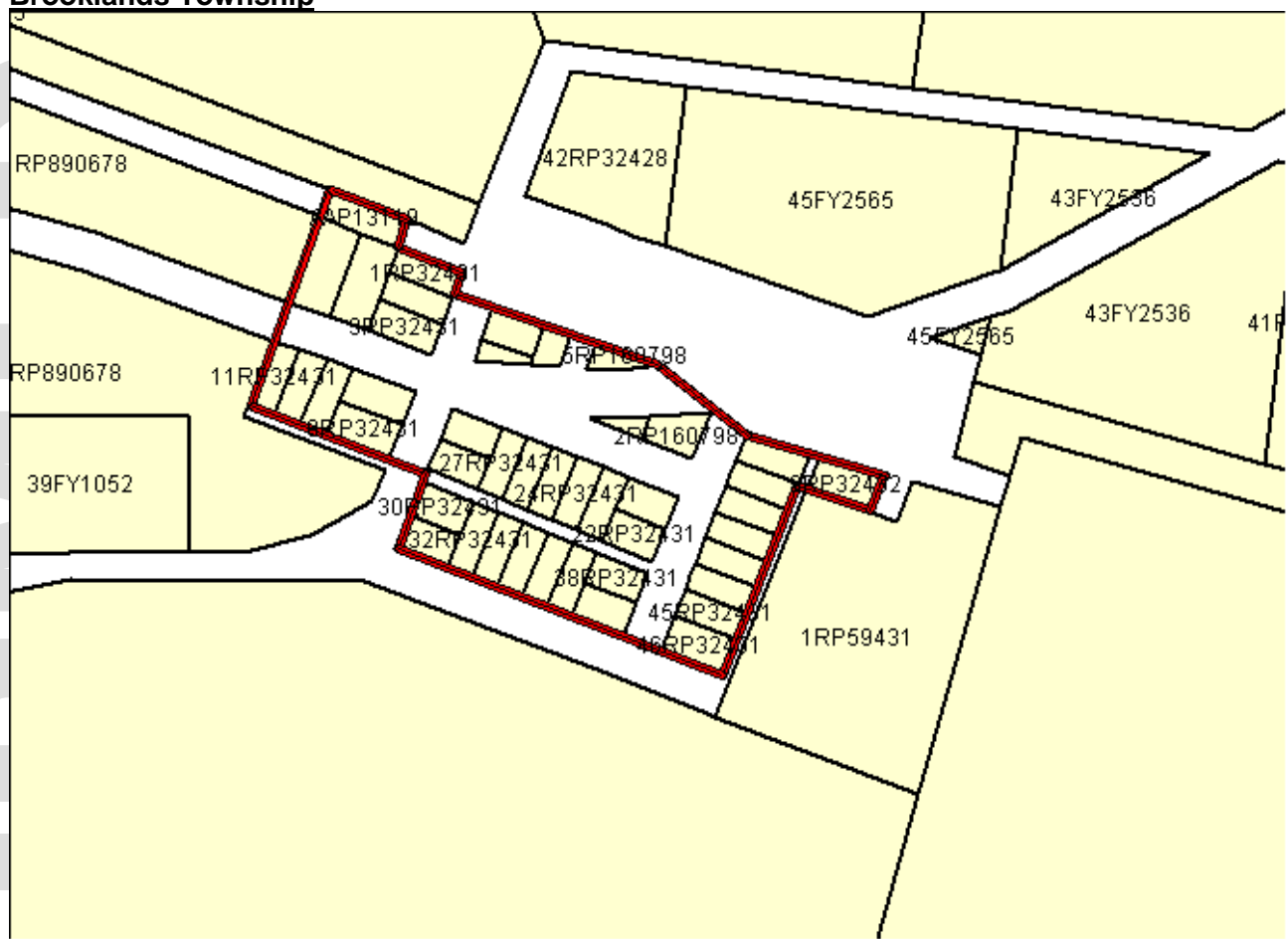


UNCONFIRMED



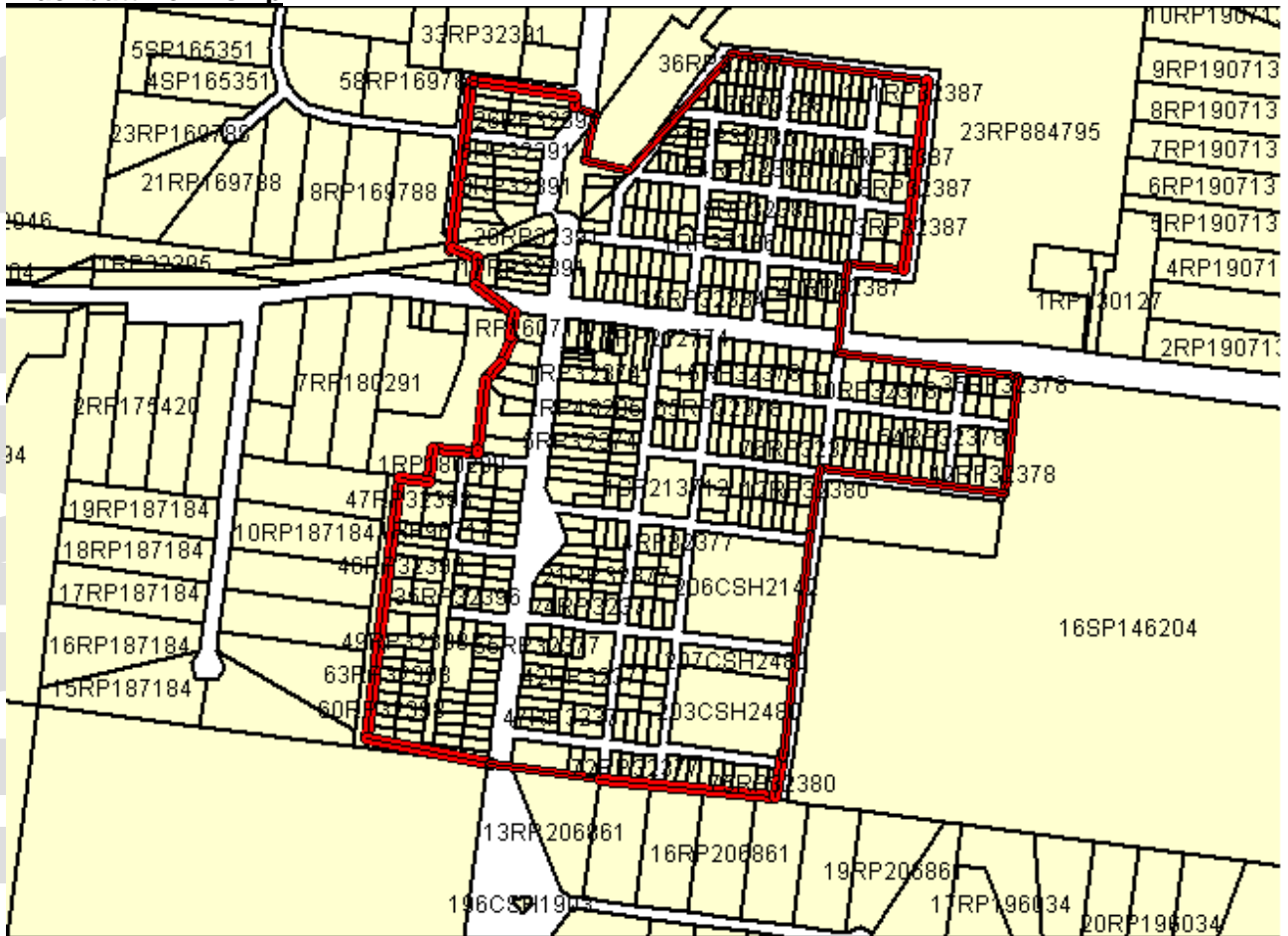


**Brooklands Township**



UNCONFIRMED

**Blackbutt Township**



UNCONFIRMED





**7.2 Natural Resource Management (NRM) & Parks**

Nil.

**7.3 Planning & Land Management****7.3.1 P&LM - 911668 - Revised 2010/2011 Regulatory and Commercial Charges****Summary****KEY POINT SUMMARY**

- Council adopted the 2010/2011 Register of Regulatory & Cost-Recovery Fees on 30 June 2010
- Plumbing Searches for house drainage plans incurred a fee of \$60.00 (no GST)
- Revised fee of \$30.00 (no GST) proposed based on the costs incurred by Council to produce the house drainage plan (photocopying, postage and staff resources) as per Section 143 of the *Local Government Act 2009*
- Recommendation that the reduced search fee be adopted and incorporated into Council's 2010/2011 Regulatory and Commercial Charges

**Officer's Recommendation**

That Council adopt the revised 2010/2011 Register of Regulatory & Cost-Recovery incorporating the fee of \$30.00 (no GST) for reproducing copies of house drainage plans.

**Resolution:**

*Moved Cr ID Carter, seconded Cr CD Dalton.*

*That the Officer's Recommendation be adopted*

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

**7.3.2 P&LM - 449102 - Request to Change an Existing Approval - Lot 1 RP157007 and Lot 62 FY2526 - Burrandowan and Ellesmere Road Kingaroy - Applicant/Owner: Crystal Property Investment Pty Ltd****Summary****KEY POINT SUMMARY**

- Applicant has applied for a Minor Change to a Condition of Development Approval (Condition G9).
- Applicant has not provided any justification for the deletion of Condition G9 to allow for the burning of felled timber on the subject site.
- No alternate solutions to this issue have been put forward by the Applicant to amicably resolve the situation.
- A number of complaints have been received by Council in relation to the current state of the subject site.
- Letter sent to the Department of Environment and Resource Management (DERM) on 6 August 2010 regarding clearing undertaken by the applicant and compliance with Concurrence Agency Conditions.

## Previous Council Consideration

An application for a Development Permit for Reconfiguration of a Lot (40 Rural Residential Lots) was approved by the former Kingaroy Shire Council at its General Meeting held on 29 March 2007 (Council Reference: IR 188448).

A Minor Change application was submitted to Council on 18 December 2009 requesting the deletion of Condition G9 contained within Council's Decision Notice to allow for the burning of felled timber on the subject site.

The Minor Change application was tabled by Council at its General Meeting on 21 January 2009 where Council's Elected Representatives recommended that *"the previous item lay on the table to allow further discussions and that this matter be tabled until the February 2009 Council Meeting agenda and that Council obtain consent from the applicant for an extension to determine the request"*.

O'Reilly Nunn Favier, who submitted the original Development Application on behalf of the Applicant, Crystal Property Investments Pty Ltd, required that Council decide the request on 25 May 2010 to change the existing approval.

It is understood that the subject site is currently subject to mortgagee sale and given the request from O'Reilly Nunn Favier it is considered reasonable to decide the request to change the existing approval.

The Minor Change application was tabled again at Council's General Meeting on 13 March 2009 where Council's Elected Representatives recommended that *"the Mayor, Chief Executive Officer and relevant officers continue discussions with the owner of the land to pursue alternative solutions as outlined in the Department of Sustainability Report prior to the request to change the application being finalised by report to Council"*.

## Officer's Recommendation

That Council refuse the Applicant's request for the deletion of Condition G9 – Disposal of Vegetation and retain the Condition as per Council's Decision Notice dated 29 March 2007 for the following reasons:

- The burning of felled timber on site is not feasible due to the extent of protected vegetation on the site that is considered to pose an increased bush fire hazard.
- The logistical complexity involved in successfully coordinating the significant number of fire fighters and equipment required to manage the work involved with burning the vegetation is unacceptable.

### Resolution:

*Moved Cr ID Carter, seconded Cr KM Campbell.*

*That the Officer's Recommendation be adopted.*

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

### 7.3.3 Burrandowan & Ellesmere Road Kingaroy, Crystal Property Investment Pty Ltd subdivision - Land Clearing

#### Motion:

*Moved Cr ID Carter, seconded Cr DP Tessmann.*

*That Council request officers investigate the options available as a result of the illegal clearing of vegetation as part of the development of the Burrandowan & Ellesmere Road Kingaroy, Crystal Property Investment Pty Ltd subdivision and a report be brought back to Council*

*Carried 7/0*

*FOR VOTE - All Councillors voted unanimously*

### 7.3.4 P&LM - 438283 - Darryl James Riding - Forwarding IDAS Application - Request to change an existing approval - Wondai Caravan & Cabin Village - Applicant/Owner: Darryl J Riding

#### Summary

##### KEY POINT SUMMARY

- Applicant has applied for a Minor Change to an existing Development Approval (Extension to Approval Period)
- Applicant has not provided any justification for the requested Extension of the Approval Period
- A number of complaints have been received by Council in relation to the current state of the subject site over the past five (5) years
- An Extension Period of two (2) years from the date of this Council Meeting (25 August 2010) is recommended
- Concurrently a Show Cause Notice is to be revised outlining aspects of non-compliance with conditions of development approval
- The Material Change of Use approval will attach to the land including any enforcement action relation to 'development offences' under the *Sustainable Planning Act 2009* and will be binding on any future land owner

#### Previous Council Consideration

An application for a Development Permit for Material Change of Use (Caravan Park) was approved by the former Wondai Shire Council at its General Meeting held 22 September 2004 (Council Reference: WSC 0407).

Wondai Shire Council's Decision Notice was forwarded to the applicant on 30 September 2004 however a number of copies were sent due to inaccuracies and oversights by current Council Officers. A Negotiated Decision Notice was issued on 1 November 2004. A number of submissions were received during the public notification period however no appeals were lodged with the Planning & Environment Court as a result of Wondai Shire Council approving the application.

#### Officer's Recommendation

That in relation to Wondai Caravan & Cabin Village, Council:

1. Approve the Applicant's request and grant a two (2) year extension to concurrence period of the Material Change of Use approval having effect until 25 August 2012.
2. Issue a Show Cause Notice on the land owner pursuant to Section 588 of the Sustainable Planning Act (SPA) 2009.

**Resolution:**

*Moved Cr ID Carter, seconded Cr CD Dalton.*

*That in relation to Wondai Caravan & Cabin Village, Council:*

1. *Grant an extension to the concurrence period of the Material Change of Use approval having effect until 31 December 2011.*
2. *Issue a Show Cause Notice on the land owner pursuant to Section 588 of the Sustainable Planning Act (SPA) 2009.*

*Carried 7/0*

*FOR VOTE - All Councillors voted unanimously*

**7.3.5 P&LM - 510780 - O'Reilly Nunn Favier - Forwarding an IDAS Application - Request to Change an existing approval - Material Change of Use and Reconfigure a Lot - 1 Lot into 14 Lots - Bunya Highway Kingaroy - Owner: G Barron**

**Summary****KEY POINT SUMMARY**

- Applicant has applied for a Minor Change to an existing Development Approval (Change to Development Approval)
- The Department of Main Roads were a Concurrence Agency for the original application and have advised that there is no objection to the proposed change in access arrangements to the Bunya Highway
- Recommendation that Council approves the Minor Change request and amends Condition G1 to reflect updated proposal plan

**Previous Council Consideration**

An application for a Development Permit for Reconfiguration of a Lot (1 Lot into 14 Lots) and Material Change of Use (Vacant Land to General Industry) was approved by Council at its General Meeting held on 26 July 2007 (Council Reference: IR216800).

Council's Decision Notice was forwarded to the applicant on 1 August 2007.

**Officer's Recommendation**

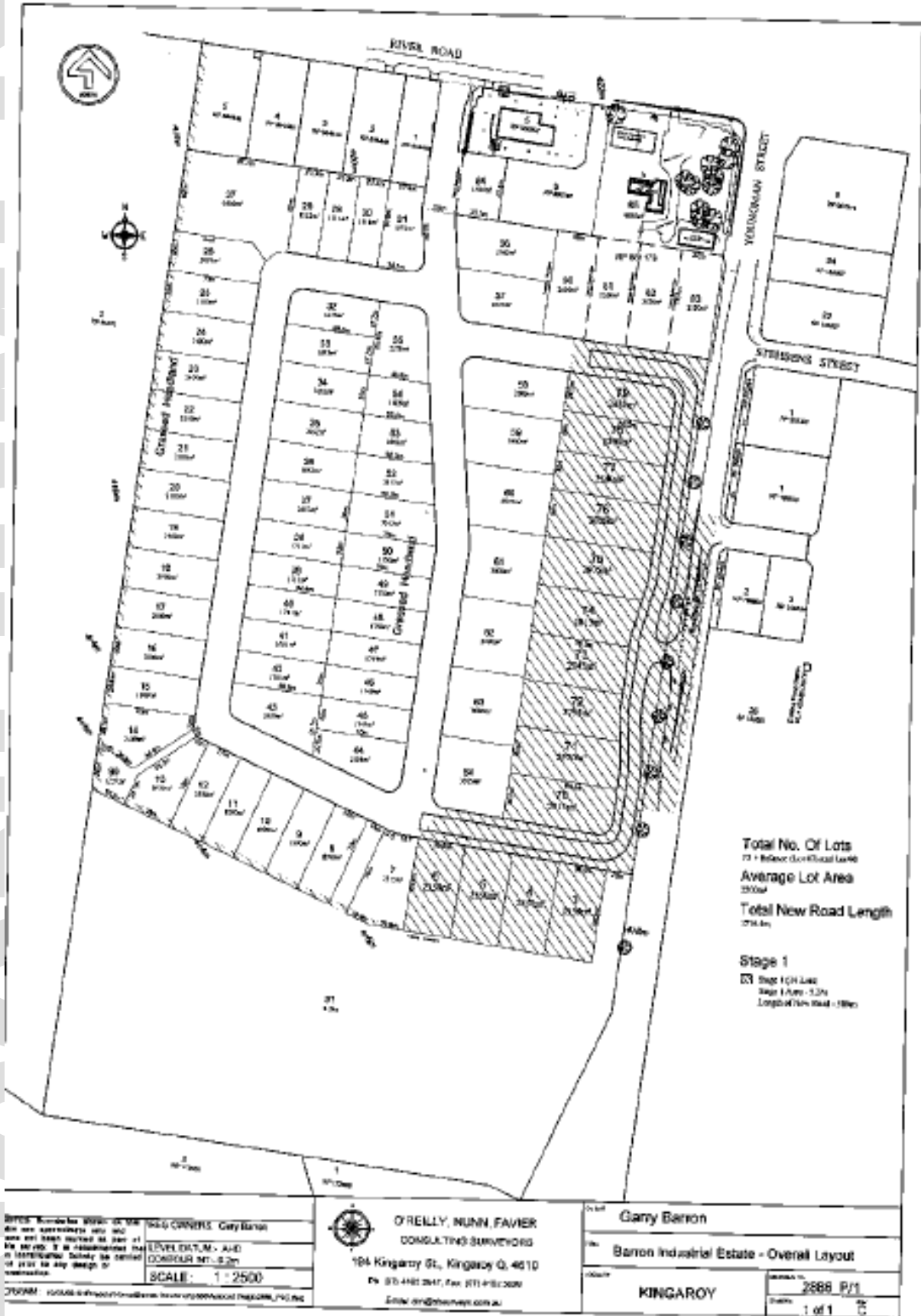
That Council *approve* a Minor Change confirming the following changes, to the existing approval for Material change of Use and Reconfiguration of a Lot (1 lot into 14 lots), Bunya Highway, Kingaroy. (Deleted text in strikethrough and new text in bold):

Condition 1

1. Development of the subject land is to proceed generally in accordance with the following proposal plans and reports, submitted as part of the application or as a response to Council's information request, except where amended in accordance with these conditions-
  - (a) 'Water Supply Analysis Report – Barron Industrial Estate, Kingaroy', prepared by John Wilson and Partners Pty Ltd, dated April 2007, Revision 1;
  - (b) 'Barron Industrial Estate Site Plan', prepared by O'Reilly, Nunn, Favier Consulting Surveyors, dated ~~17/01/07~~ **19/05/09**, Drawing No. 2886\_P/1, Sheet 1 of 2 **1**, Revision **A C**;  
~~'Barron Industrial Estate Site Plan', prepared by O'Reilly, Nunn, Favier Consulting Surveyors, dated 17/01/07, Drawing No. 2886\_P/1, Sheet 2 of 2, Revision A; and~~
  - (c) 'Response to IDAs Acknowledgement Notice (216800 JV:VH) Item 10 Information Request', prepared by Baker Rossow Consulting Engineers, dated January 2007, Job No. 104119, Revision A;
  - (d) Drawing No. 2886\_P/1 Sheet 2 of 2 Revision A prepared by O'Reilly, Nunn Favier Consulting Surveyors is to be updated to reflect Drawing No. 2886\_P/1 Sheet 1 of 1 Revision C. The updated plan is to be submitted to and approved by Council prior to Council sealing the Survey Plan for the Reconfiguration of a Lot component.

All other conditions are to be retained as per Council's Decision Notice dated 1 August 2007 including Department of Main Roads Concurrence Agency conditions dated 21 May 2007.

Proposal Plans



Source: Applicant

**Resolution:**

*Moved Cr KM Campbell, seconded Cr DJ Palmer.*

*That the Officer's Recommendation be adopted*

*Carried 7/0*

*FOR VOTE - All Councillors voted unanimously*

**7.3.6 P&LM - 876989 - O'Reilly Nunn Favier - Forwarding SEDA application - Reconfiguration of a Lot - one lot into two lots - Lot 1 SP204698 Darcie Street, Kingaroy - Applicant: O'Reilly Nunn Favier - Owner: JD & RE Bayliss & MM Keogh**

**Summary****KEY POINT SUMMARY**

- Application for Reconfiguration of a Lot (1 lot into 2 lots)
- Subject land located within the Rural Residential Zone and Preferred Land Use of Res "C"
- Application subject to Code Assessment against the Kingaroy Shire IPA Planning Scheme
- Proposal does not meet the maximum width to depth ration for a lot of 1:4 and cannot contain a 2500sqm building area with a minimum dimension of 50 metres
- Application recommended for refusal

**Officer's Recommendation**

That Council refuse the Development Application for Reconfiguration of a Lot (1 Lot into 2 Lots) on Lot 1 on SP204698 located at 14 Redmans Road (cnr Darcie Street) Boobie for the following reasons:

- The proposed lot does not comply with the design parameters for this zone, in particular a maximum width to depth ratio of 1:4 for a lot. This results in a lot with a significantly longer road frontage and shallower depth that is not considered to be a suitable shape and proportion as anticipated by the Planning Scheme. The proposed elongated shape of the lot is therefore not consistent with the Planning Scheme outcome to provide usable lots.
- The unconventional shape of the proposed lot is likely to result in a dwelling and associated outbuildings that are sited closer to the road and side lot boundaries compared to the surrounding developments. While it is feasible to construct a dwelling and associated outbuildings on site, the elongated shape of the proposed lot and extended frontage is likely to impact on the ability of the site to provide adequate privacy and amenity for the inhabitants of the new residence.

**Resolution:**

*Moved Cr CD Dalton, seconded Cr KM Campbell.*

*That Council approve the Development Application for Reconfiguration of a Lot (1 Lot into 2 Lots) on Lot 1 on SP204698 located at 14 Redmans Road (cnr Darcie Street) Boobie with the following conditions:*

**General**

- GEN1. Development of the subject land is to proceed generally in accordance with the proposal plan prepared by O'Reilly, Nunn, Favier, Drawing No. 4331P/1 Sheet 1 of 1.
- GEN2. Any future development of Proposed Lot 10 is to proceed generally in accordance with Site Layout Plan prepared by Blueprint Drafting Services, Project Number 10-1166-SPY and dated 25<sup>th</sup> June 2010.
- GEN3. The relocation or installation of any infrastructure or services required as a result of this approval, including conditions on this decision notice are carried out at no cost to Council.
- GEN4. All internal services are to be contained within the respective lots.
- GEN5. Outstanding charges or expenses levied by the Council over the subject land are to be paid prior to Council sealing the plan of survey.
- GEN6. Payment of Department of Environmental and Resource Management valuation fees that will result from the issue of split valuations prior to Council sealing the Plan of Survey. The contribution is currently assessed at \$66.00 (2 x \$33.00); however, the actual amount payable will be based on Council's Register of Regulatory & Cost-Recovery Fees and the rate applicable at the time of payment.
- GEN7. The subject sites are to be clear of declared pests (noxious weeds) prior to sealing the plan of survey.
- GEN8. Prior to submission of the subdivision plan to Council, the developer is to reinstate survey marks and install new survey marks in their correct position in accordance with the plan of subdivision. The work is to be certified in writing by a licensed surveyor.
- GEN9. All conditions of this approval are to be satisfied prior to Council issuing a Compliance Certificate for the Plan of Survey and it is the applicant's responsibility to notify Council to inspect compliance with conditions. Sealing of a Plan of Survey (Compliance Certificate) fee will be charged, with payment required prior to Council consenting to the Survey Plan or associated documentation.

**Telecommunications**

- RAL1. Evidence of an agreement for the provision of telephone services to all proposed lots is to be submitted to Council prior to the sealing of the subdivision plan.

**Electricity**

- RAL2. Written confirmation from the electricity authority, that all matters relating to the reticulation of electricity to all proposed lots is to be provided to Council prior to the sealing of the subdivision plan.

**Roads & Access**

- ENG1. Access shall be provided for all proposed lots. Accesses must be located, designed and constructed in accordance with Table S2.7 – Design and Construction Standard of the Kingaroy Shire IPA Planning Scheme (Drawing No. 10231 in PSP No. 10).
- ENG2. The south western corner of the subject site shall have a 3-chord boundary truncation in accordance with the Queensland Development Code.

**Stormwater**

- ENG3. Any lot where the roof water discharge from any future buildings cannot be satisfactorily drained to the street frontage, a secondary drainage system is to be provided along the rear boundaries, or such other boundaries as appropriate, for the purpose of collection of roof water discharge only. Such drainage system is to be connected to the main drainage system and designed in accordance with the QUDM.
- ENG4. All stormwater collected from the site, including roof water from existing structures, is to be piped to a legal point of discharge. Such works are to be sized and constructed as determined by the detailed design, having regard for the previous engineering conditions.

### Water Supply

ENG5. Prior to Council sealing the subdivision plan the applicant is to connect each lot to Council's reticulated water supply system in accordance with Schedule 2, Division 3.1 – Planned Standards of Service, Table S2.8 of the Kingaroy Shire IPA Planning Scheme. Detailed plans and any required reports to comply with this condition are to be lodged under a separate Development Permit for Operational Works. For further details please contact Council's Infrastructure Department on (07) 4171 6800.

### Development Contributions

ENG6. Payment prior to Council sealing any survey plan, a contribution is to be made towards water supply infrastructure in accordance with Kingaroy Shire Council IPA Planning Scheme – Policy No. 7 – Infrastructure. The contribution is currently assessed at \$3,514.83; however, the actual amount payable will be based on Council's policy and the rate applicable at the time of payment. The above amount has been calculated as follows.  
2 Lots – 1 Lot (Credit) x 3.0 EP/Lot x \$1,171.61EP = \$3,514.83.

ENG7. Payment prior to Council sealing any survey plan, a contribution is to be made towards public parks infrastructure in accordance with Kingaroy Shire Council IPA Planning Scheme – Policy No. 7 – Infrastructure. The contribution is currently assessed at \$1,135.11; however, the actual amount payable will be based on Council's policy and the rate applicable at the time of payment. The above amount has been calculated as follows.  
2 Lots – 1 Lot (Credit) x 3.0 EP/Lot x \$1,135.11EP = \$3,405.33.

### Operational Works

OPW1. All operational works are to be designed and constructed in accordance with South Burnett Regional Council requirements and accepted engineering practice including reference to Australian Standards, Codes of Practice and Industry Guidelines as nominated by South Burnett Regional Council.

### Advice

ADV1. Section 341(2) of the *Sustainable Planning Act 2009* provides that, if this approval is not acted upon within the period of 4 years the approval will lapse. Note that in accordance with section 341(7) a related approval may extend the relevant (currency) period.

ADV2. This development approval does not authorise any activity that may harm Aboriginal Cultural Heritage. Under the *Aboriginal Cultural Heritage Act 2003* you have a duty of care in relation to such heritage. Section 23(1) provides that "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage." Council does not warrant that the approved development avoids affecting Aboriginal Cultural Heritage. It may therefore, be prudent for you to carry out searches, consultation or a Cultural Heritage assessment to ascertain the presence or otherwise of Aboriginal Cultural Heritage. The Act and associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding.

ADV3. A copy of Division 8 of the *Sustainable Planning Act 2009* will be provided to the applicant as regards Rights of Appeal. With respect to Appeal Rights of Applicants, the following is drawn to your attention – The applicant's Appeal Period commences upon receipt of this advice and expires 20 business days thereafter. Should the applicant notify the Assessment Manager (Council) in writing of acceptance of the conditions of approval and that it is not intended to make an appeal, the Applicant's Appeal Period is at an end.

### REASON:

**Council is satisfied that the request for approving the reconfiguration is in line with the general amenity of the area, the Wide Bay Burnett Regional Plan and the desire of Council to have appropriate infill in this area.**

Carried 7/0

**7.3.7****P&LM - 866733 - Total Communications Infrastructure - IDAS Application - MCU - Proposed Telstra Mobile Telecommunications Base Station at 225 Benair Road Benair at Lot 287 FY436 - Applicant: Telstra Owner: M Reed****Summary****KEY POINT SUMMARY**

- Application is for a Telstra Mobile Telecommunications Base Station Facility (for the purpose of this report, it will be referred to as a Telecommunication Facility (Major Utility) to be erected on land identified in the Rural Locality;
- The concrete monopole height will be 35m with an overall height of 36.36m (this includes the antenna arrangement on top of the monopole)
- Special Management Overlay Areas (SMOAs) affecting the property:
  - A. SMOA Map 2C - Environmental Management Area - Water Quality Elements - Gordonbrook Dam Physical Catchment
  - B. SMOA Map 2D – Economic Resources - Good Quality Agricultural Land - Class A and Class B
- Application was subject to Impact Assessment against the Kingaroy Shire IPA Planning Scheme;
- No submissions were received by Council during the public notification period;
- Approval subject to reasonable and relevant conditions is recommended.

**Officer's Recommendation**

That Council, approve the Development Application for a Material Change of Use (Telecommunication facility) on Lot 287 on FY436 located at 225 Benair Road, Benair, subject to the following conditions;

**General**

GEN1. Development of the subject land is to proceed generally in accordance with the site plan and supporting information submitted by the applicant and identified as Drawing Nos.

- Site Elevation – Telstra Mobile Network Site 271439 Kingaroy South - DWG No. 109448 - Sheet S3
- Site Layout and Access – Telstra Mobile Network Site 271439 Kingaroy South - DWG No. 109448 - Sheet S1
- Site Tenure Plan - Telstra Mobile Network Site 271439 Kingaroy South - DWG No. Q109448 - Sheet G1

GEN2. The proposed equipment shelter is to be finished in a colour to ensure it blends with the natural background.

GEN3. Resultant or associated installation, repair or relocation of services is to be completed at no cost to the Council.

GEN4. Dust prevention measures must be undertaken to ensure that dust does not cause a nuisance to occupiers of adjacent properties.

GEN5. Maintain the site in a clean and orderly state at all times.

GEN6. Any new earthworks or structures are not to concentrate or impede the natural flow of water across property boundaries and onto any other lots.

GEN7. All significant existing vegetation should be protected and maintained unless situated in a location approved for building or other works.

### **Council's Advice to the Applicant**

ADV1. Section 341(1) of the *Sustainable Planning Act 2009* provides that, if this approval is not acted upon within a period of 4 years the approval will lapse. Note that in accordance with section 341(7) a related approval may extend the relevant (currency) period.

ADV2. This development approval does not authorise any activity that may harm Aboriginal Cultural Heritage. Under the *Aboriginal Cultural Heritage Act 2003* you have a duty of care in relation to such heritage. Section 23(1) provides that "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage." Council does not warrant that the approved development avoids affecting Aboriginal Cultural Heritage. It may therefore, be prudent for you to carry out searches, consultation, or a Cultural Heritage assessment to ascertain the presence or otherwise of Aboriginal Cultural Heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding.

ADV3. A copy of Division 8 of the *Sustainable Planning Act 2009* will be provided to the applicant as regards Rights of Appeal. With respect to Appeal Rights of Applicants, the following is drawn to your attention -

- a) The applicant's Appeal Period commences upon receipt of this advice and expires 20 business days thereafter.
- b) Should the applicant notify the Assessment Manager (Council) in writing of acceptance of the conditions of approval and that it is not intended to make an appeal, the Applicant's Appeal Period is at an end.

### **Resolution:**

*Moved Cr ID Carter, seconded Cr CD Dalton.*

*That the Officer's Recommendation be adopted*

*Carried 7/0*

*FOR VOTE - All Councillors voted unanimously*

### **ATTENDANCE:**

*Cr DJ Palmer left the meeting at 10:39 AM*

**7.3.8 P&LM - 879927 - O'Reilly Nunn Favier - Forwarding request to change an existing approval - amended layout for reconfiguration of a lot at Waterview Drive, Moffatdale - Lot 902 SP191465 Applicant/Owner: J Brydges**

### **Summary**

#### **KEY POINT SUMMARY**

- Applicant has requested a change to the alignment of the lot boundaries for proposed Lots 134 and 135 approved by a Development Permit issued on 20 August 2007 by the former Murgon Shire Council, with a 4 year currency period.
- The approval proposed four (4) lots ranging in area from 4,140sqm to 5,705sqm, plus balance rural lot and the construction of a new access road. To date, the development has not been given effect to.
- The original balance lot has been further reconfigured and is now described as Lot 93 on SP210658.

- The requested changes proposes to realign the boundaries of proposed Lot 134 to increase the site area from 4,180sqm to 7.4ha, increase the site area of proposed Lot 135 from 5,705sqm to 13ha and reduce the site area of the balance lot from 47.13ha to 26.5ha. In addition a reduction of the buffer distance from a reserve boundary from 200m to 100m is requested.
- The basis for this request is that the altered configuration would render these blocks more financially viable and easier to market.
- The Department of Environment and Resource Management, was a Referral Agency for the existing approval and on 10 June 2010 the Department advised that it had no objection to the requested changes.
- Recommended that Council approve the requested change.

### Officer's Recommendation

That Council approve the request for a Permissible Change by amending Condition 1 as following:

#### Condition

- 1) The development must generally comply with the facts and circumstances set out in Development Application ~~35/07 IR 894508~~ and the proposed plans for reconfiguring a Lot ~~902 on SP191465~~ **93 on SP210658**, Parish of Barambah, and situated at Waterview Drive, Moffatdale, ~~described on Drawings Numbered 3341P/1 Rev B, Plan 1 dated 13 July 2007 and 3341P/1 Rev A, Plan 2 dated 6 March 2007 drawn by O'Reilly, Nunn, Favier Consulting Surveyors, Drawing No 3341P/3, Sheet 1 of 2, Revision B and Sheet 2 of 2, Revision B.~~

#### PROCEDURAL MOTION:

*Moved Cr ID Carter, seconded Cr KM Campbell.*

*That the previous item lay on the table until Council officers obtain advice from the Wide Bay Regional Planning Group of the Department of Infrastructure and Planning*

*Carried 6/0*

*FOR VOTE - All Councillors voted unanimously  
ABSENT. DID NOT VOTE - Cr DJ Palmer*

#### ADJOURNMENT:

##### Motion:

*Moved Cr DP Tessmann, seconded Cr BL Green.*

*That the meeting adjourn for twenty (20) minutes*

*FOR VOTE - All Councillors voted unanimously  
ABSENT. DID NOT VOTE - Cr DJ Palmer*

Cr DJ Palmer has returned from temporary absence at 10.43am

#### RESUMPTION:

**Motion:**

*Moved Cr BL Green, seconded Cr DP Tessmann.*

*That the meeting resume at 11.11am*

*Carried 7/0*

*FOR VOTE - All Councillors voted unanimously*

**ATTENDANCE:**

*Cr ID Carter (Mayor), Cr KM Campbell (Deputy Mayor), Cr CD Dalton, Cr KA Duff, Cr BL Green, Cr DJ Palmer, Cr DP Tessmann*

**8. Community & Corporate Governance****8.1 Community & Cultural Services****8.1.1 Bulls Masters visit to the South Burnett****Summary**

The Bulls Masters is a recently formed not-for-profit organisation of ex-Queensland Cricket players. They are coming to the South Burnett to participate in a number of events to help develop cricket in the area and assist local organisations in their fundraising endeavours. They will be involved in a number of events including a 20/20 cricket match, a fundraising dinner, visits to hospitals and aged care facilities, cricket clinics throughout the region and participating in the Nanango Funfest.

**Motion:**

*Moved Cr ID Carter, seconded Cr BL Green.*

*That Council actively participate in the upcoming Bulls Masters event on the following conditions:*

- *South Burnett Cricket Association will be responsible for the logistics in organising the 20/20 cricket match;*
- *South Burnett Relay for Life will be responsible for the logistics in organising the dinner on the Saturday night;*
- *Council will contribute \$5,000 in cash towards the event (requested by the Bulls Masters), with the remaining \$5,000 being sourced from profits from the dinner event and the 20/20 cricket match;*
- *Council will provide additional in-kind assistance where applicable (details to be determined by the Director Community and Corporate Governance) for the 20/20 cricket match and dinner event. This assistance is to be requested through the Coordinator Community and Cultural Services well in advance to enable it to be scheduled into the work of Council staff;*
- *Council will provide financial management of the process. Any financial outlay must be approved by the Director Community and Corporate Governance in the first instance;*
- *In the event that the visit (including the 20/20 match and the dinner) runs at an overall loss, Council would cover 'reasonable costs' after a full audit of expenses was conducted by Council staff; and*
- *A subcommittee made up of a minimum of 2 representatives from each group that is a party to the Memorandum of Understanding will oversee the visit and meet at least once per week preceding the event.*

Carried 7/0

FOR VOTE - All Councillors voted unanimously

### 8.1.2 C&CS- 911406 - Regional Arts Development Fund (RADF) update and funding allocation for Round One (1) for 2010/11

#### Summary

The RADF Advisory Committee having met on Monday, 16 August 2010 processed the following applications as successful:

Applicant	Description of Workshop	Cost	Assessment
Jumping Ant Arts (Ros Dalton)	Clay Sculpting animals and diorama with Lindsay Muir	\$2,300	The application be approved subject to conditions for \$2,300.
Jumping Ant Arts (Diana Bolton)	Sculpting in Clay - the Human Face with Kate French	\$4,000	The application be approved subject to conditions for \$4,000.
South Burnett Regional Council	Concept Development for Public Art Space	\$6,190	The application be approved for \$6,190.
South Burnett Woodcrafters	Heirloom Trinket Box construction, art of fine wood working and embellishment	\$785	The application be approved subject to conditions for \$785.
Wondai Regional Art Gallery (Big Scrub Art Group)	Silver Smithing	\$453	The application be approved subject to conditions for \$453.
Kingaroy State High School	Author in Residence (Resubmitted)	\$4,237	The application be approved subject to conditions for \$3,755.
Jumping Ant Arts (Laura Wilson)	Community Arts Project	\$1,493	The application be approved for \$1,493.

#### Officer's Recommendation

That Council endorse the South Burnett Regional Arts Development Fund Advisory Committee Minutes including the recommendations and approve the following successful applications for RADF Round One (1) 2010/2011:

Applicant	Description of Workshop	Cost	Assessment
Jumping Ant Arts (Ros Dalton)	Clay Sculpting animals and diorama with Lindsay Muir	\$2,300	The application be approved subject to conditions for \$2,300.
Jumping Ant Arts (Diana Bolton)	Sculpting in Clay - the Human Face with Kate French	\$4,000	The application be approved subject to conditions for \$4,000.
South Burnett Regional Council	Concept Development for Public Art Space	\$6,190	The application be approved for \$6,190.
South Burnett Woodcrafters	Heirloom Trinket Box construction, art of fine wood working and	\$785	The application be approved subject to conditions for \$785.

Applicant	Description of Workshop	Cost	Assessment
	embellishment		
Wondai Regional Art Gallery (Big Scrub Art Group)	Silver Smithing	\$453	The application be approved subject to conditions for \$453.
Kingaroy State High School	Author in Residence (Resubmitted)	\$4,237	The application be approved subject to conditions for \$3,755.
Jumping Ant Arts (Laura Wilson)	Community Arts Project	\$1,493	The application be approved for \$1,493.

**Resolution:**

*Moved Cr CD Dalton, seconded Cr KA Duff.*

*That the Officer's Recommendation be adopted*

*Carried 7/0*

*FOR VOTE - All Councillors voted unanimously*

**8.1.3 C&CS - 909204 - Amendments to recently adopted fees and charges****Summary**

The recently adopted Register of Regulatory & Cost Recovery Fees 2010/2011 did not include some charges for the South Burnett Aquatic Centre and Blackbutt Swimming Pool.

In addition, the fees and charges for the Murgon Caravan Park are being collected externally and as a result it would be more efficient if these fees were rounded down to the whole dollar.

**Officer's Recommendation**

That Council approve the following inclusions and amendments to the Register of Regulatory & Cost Recovery Fees 2010/2011:

South Burnett Aquatic Centre

Quarterly season pass \$70.00

Blackbutt Swimming Pool

Non swimmers / parent accompanying children \$1.20

Murgon Caravan Park

Powered Site - 2 adults (overnight) \$24.00

Unpowered Site - 2 adults (overnight) \$14.00

Unpowered Site -Single camper \$13.00

Per additional person (over 6) \$5.00

Self-contained Motorhome rate \$14.00

**Resolution:**

*Moved Cr KA Duff, seconded Cr KM Campbell.*

*That the Officer's Recommendation be adopted*

*Carried 7/0*

*FOR VOTE - All Councillors voted unanimously*

**8.2 Corporate Governance****8.2.1 CG - 911803 - Adoption of Council s Operational Plan Review - June Quarter 2010****Summary**

The *Local Government (Finance, Plans and Reporting) Regulation 2010* requires the Chief Executive Officer to provide written assessment of the progress towards implementing Councils Corporate and Operational Plan at least every 3 months.

This report provides that assessment by detailing progress made towards delivering the significant projects and initiatives as set out in the 2009-10 Operational Plan. It will also incrementally provide an assessment of council's progress towards delivering its five year corporate plan.

**Officer's Recommendation**

That in accordance with Part 3, Division 3, Section 122(2) of the *Local Government (Finance, Plans and Reporting) Regulation 2010*, Council adopt the Operational Plan Review for the Fourth Quarter, 1 April 2010 to 30 June 2010.

**Resolution:**

*Moved Cr DP Tessmann, seconded Cr DJ Palmer.*

*That the Officer's Recommendation be adopted*

*Carried 7/0*

*FOR VOTE - All Councillors voted unanimously*

**8.3 Council Facilities**

Nil.

**8.4 Information Services****8.4.1 IT - 911228 - Computer Usage Policy****Summary**

Council relies heavily on the use of information technology to deliver services to the community. It is imperative that the use of this technology is managed in a manner that does not adversely affect our service delivery. This policy has been developed after consultation with the Council executive team and Councillors.

Once approved, the implementation of this policy will be rolled out to personnel (including contractors and volunteers) who accesses Council's computer network. This will occur through a number of workshops. It will also be included in the induction process for new employees.

**Officer's Recommendation**

That the following Computer, Internet & Email Usage Policy be adopted by Council.

UNCONFIRMED



**Computer, Internet and Email Usage**

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### **1. Overview**

To outline the obligations and responsibilities of Councillors and Employees in relation to their use of Council's Information Communication Technology Infrastructure including Computers, Networks, Email, Internet and Mobile Phones.

### **2. Purpose**

The South Burnett Regional Council is a highly computerised organisation with a range of software programs being used to undertake core functions of Council. The Internet is recognised by government and business organisations as a serious and valuable information resource. It provides information on a wide variety of subjects that may be useful to Council Officers and Councillors. Internet access includes access to external Electronic Mail (e-mail) for all employees and Councillors with a Personal Computer login ID and access to the World Wide Web (WWW) for selected employees and Councillors.

This policy document describes the access methods, services available and user and management responsibilities when accessing network resources and the Internet within Council. Employees and Councillors who have access to the Internet have an obligation to use their access in a responsible and informed way. Directors, Managers and Supervisors have a responsibility to ensure the Internet is used appropriately within their work unit.

All Council policies, procedures and requirements with regard to ethical behaviour, fraud, risk management and records management apply to the use of the Internet and Electronic Mail. In addition, the provisions of the Queensland Local Government Act 2009 and Queensland Information Privacy Act 2009 regarding the collection, storage, use, disclosure, distribution and transfer of operational or personal information that an employee or Councillor produces, collects or is otherwise exposed to or becomes aware of through their service with Council, shall apply.

### **3. Scope**

This policy applies to all personnel and anyone else who has any interaction with a computer requiring a password on council's network including a domain and e-mail account.



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#### **4. Relationship to other policies**

All South Burnett Regional Council policies, procedures and requirements with regard to ethical behaviour, fraud, risk management and records management procedures apply to the use of electronic mail, remote access, internal network activity and the internet. This policy supersedes any previously published policy, procedure or instruction which addresses the particulars contained within this current policy.

All users should familiarise themselves with the South Burnett Regional Council's, Code of Conduct, Confidentiality Agreements and Register of Delegated Authorities before using the Internet and electronic mail facilities.

#### **5. Legislative Framework**

Users are reminded that the provisions of the Right to Information Act, Information Privacy Act, Public Records Act, Judicial Review Act, and Copyright Acts apply to the use of electronic mail and the Internet.

Copyright exists on all kinds of materials available on the internet, including Web pages, software and other applications. Everyone is required to respect and adhere to regulations regarding copyright and other intellectual property rights when using electronic mail, remote access or the Internet. In the absence of permission or waiver statements, it is best to obtain permission before downloading or printing.

Where appropriate, cite all references and sources of information contained in electronic mail items.

Do not use offensive, discriminatory or defamatory language in electronic mail. There are laws relating to written communication that apply equally to electronic mail messages. The laws relating to defamation, racial discrimination, fraud, sexual harassment and obscenity apply.

#### **6. Password Requirements**

Passwords are an important aspect of computer security. They are the front line of protection for user accounts. A poorly chosen password may compromise the entire corporate network. As such, all South Burnett Regional Council employees (including contractors and vendors with access to South Burnett Council systems) are responsible for taking the appropriate steps, as outlined below, to select and secure their passwords:



1. Maximum Length - 14 characters, Minimum Length – 7 characters
2. Minimum complexity - No dictionary words included. Passwords must use a least three of the following four types of characters:
  1. Lowercase
  2. Uppercase
  3. Numbers
  4. Special characters such as !@#\$\$%^&\*(){}[]
3. Your password is case sensitive and the user name or login ID is not.
4. Password history - Require a number of unique passwords before an old password may be reused. This number should be no less than 6
5. Maximum password age – 90 days
6. Minimum password age – 1 day
7. Password protected screen savers are enabled to protect the computer within 10 minutes of user inactivity. Computers should not be unattended with the user logged on and no password protected screen saver active. Users should be in the habit of leaving their computers locked. They can press the CTRL-ALT-DEL and select "Lock Computer" or alternatively press the "Windows +L" keys

Do not use the "Remember Password" feature of applications (e.g., Outlook, Internet Explorer, etc). Do not write passwords down and store them anywhere in the office. Do not store passwords in a file on ANY computer system (including PDA's or similar devices) without encryption.

If an internal or external party demands to be given the password of a Council user, refer them to this document or have them call someone in the South Burnett Regional Council Information Services Section. If an account or password is suspected to have been compromised, report the incident to South Burnett Regional Council Information Services Section and change all passwords

### **7. Choosing Passwords**

Use password choosing tips as shown at <http://www.comptechdoc.org/docs/ctdp/howtopass/> and be sure your passwords meet the minimum guidelines.

### **8. Enforcement**

Password security is critical to the security of council's network and confidential data. Employees that do not adhere to this policy may be subject to disciplinary action in accordance with Council's Discipline Procedure.



## **9. Other Considerations**

Administrator passwords should be protected and provided to employees with the appropriate clearance. Administrator accounts should have the minimum access to perform their function. Administrator accounts are not to be shared or distributed.

## **10. Computer Software and Hardware**

Council provides computer software and hardware to enable Councillors and employees to perform their various functions within Council.

### **Software**

All software installed on Council computers (desktops, notebooks, PDA's and tablet PC's) must have valid licences. Council is liable for any illegal software installed on computers. Harsh penalties exist for organisations that install and use illegal software.

The purchase and installation of any software must be carried out under the approval and direction of the Information Services Section, with licenses and software compatibility being verified prior to its purchase and installation on Council computers (software includes programs, screen savers, utilities etc.) Personal software is not to be installed on Council computers.

The Information Services Section regularly undertakes audits of installed software and this information is recorded in the Software auditing applications database. Illegal software will be uninstalled and Department Directors notified.

### **Hardware**

Computer hardware is defined as computer (desktops, notebooks, PDA's and tablet PC's) equipment and attached peripherals including keyboards, mice, printers, scanners etc.

Employees and Councillors are responsible for the good care of computers and equipment. Faults or problems are to be reported to the Information Services Section as soon as practical. Devices and peripherals can only be connected under the approval and direction of the Information Services Section. The Information Services Section regularly undertakes audits and checks to ensure that all items are included in the Hardware Registration database.

All hardware and software purchases by the SBRC need to be requested through or liaised with information services for compatibility and asset tracking reasons.



## **11. Electronic Mail**

Electronic mail (e-mail) is an electronic message sent by one person to another person who has Internet mail access. The e-mail service provided can be used for sending e-mail messages to external persons or organisations and internally within Council.

All electronic files (including e-mails of a personal nature) should be presumed to be the property of Council. Immediacy of transmission does not always translate into immediacy of receipt. Where a response is required immediately or the matter is urgent, the sender should use other means of communication instead of or as well as e-mail. Messages that concern matters of policy, official communication between Council and other persons or organisations and any work related messages that document an action or decision should be entered into the records management system and a copy forwarded to the records section for filing.

Council currently utilises a three tier size limitation system with the tiers segregated into sizes of 200mb, 300mb, with the default value of 200mb being issued to all council employee mailboxes on commencement. Applications to increase the default size restriction can be requested but will only be approved after volume monitoring and alternative archive solutions are carried out and the Director has granted approval.

All email accounts are required to have the organisation standard Signature and DISCLAIMER

Employees need to be aware that your emails may be viewed by other staff if permission is approved by your supervisor.

### **Message Formats**

Electronic Mail can be one of two formats, either Informal or Formal.

Informal e-mail can be defined as brief messages that do not relate to the accountable business of the sender or recipient. There is no necessity for either the sender or recipient to view such informal communications as an official Council Record.

Formal e-mail, however, should be viewed as an official Council Record and should be constructed accordingly, using appropriate file references and officer designations. This includes any messages that relate to the business functions of Council or notes that document a decision or action. The sender or receiver, in accordance with records management procedures, should enter a copy into the records management system and forward a copy to the records section for filing.

Documentation may be subject to Right to Information and Judicial Review, and therefore, individual employees are responsible for everything they write.



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## **12. Acceptable E-mail Use and Etiquette**

Employees should remember that body language; facial expressions and vocal inflections DO NOT travel with electronic mail messages and be aware, when composing messages, that their contents have the potential to be misconstrued by the recipient. Employees, when sending an email should:

- Act in a professional and courteous manner.
- Be discreet in what you send.
- Avoid statements about other employees, gossip and sarcasm.
- Use mixed case in e-mail messages - do not use uppercase only.
- Always proof read and spell check messages before sending them.
- Keep e-mail messages brief and to the point.
- Consider how the email could be perceived by the recipients. For instance, what one person finds humorous or pertinent may be found offensive by another person.
- NOT clutter other people's e-mail accounts with unnecessary messages.

### **Practice good "house-keeping" by:**

- Checking e-mail daily.
- Deleting unwanted messages immediately.
- Keeping messages remaining in electronic mailboxes to a minimum.
- Saving mail messages required for future reference via "DataWorks" or referring to "AfterMail" archive manager
- Using the Intranet or staff newsletter to post personal items (e.g. sale of furniture) rather than e-mailing a large number of users with non-work related files.

Files saved to users local machines (c: drive) cannot be recovered in the event of a system crash. ICT recommends that user's files be stored on the relevant network location to ensure that they are backed up each night. This does not apply to emails.



**Refrain from unacceptable practices, including:**

- Publicising or sharing your password in any way.
- Using somebody else's account.
- Using the global messaging options (i.e., SBRC STAFF, Departmental Groups) unless absolutely necessary.
- Using your account or the facilities and capabilities of the Internet to conduct any business or activity for commercial purposes or financial gain, including publishing material which contains any advertising or any solicitation of other network users or discussion group or list members to use goods or services.
- Publishing on or over the network any Information that violates or infringes upon the rights of any other person, or any information of an abusive or profane nature, or material likely to be sexually offensive to an average person. (No Information should be published that infringes on State or Commonwealth Antidiscrimination Acts.)
- Using offensive, discriminatory or defamatory language. (There are laws relating to written communication that apply equally to electronic mail messages, including those for defamation, racial discrimination, fraud, sexual harassment, copyright and obscenity.)
- Using your account for political lobbying.
- Using your account to harass another person.
- Seeking or gaining unauthorised access to any resource or entity.
- Using your account for criminal purposes or for any illegal purposes or activity, including violation of copyright or other contracts.
- Invading the privacy of other individuals.
- Using your account to send anonymous messages defined either as messages that do not contain details of your name and affiliation, or messages sent through an anonymous re-mailing service.
- Vandalising the data of another user. (Vandalism is defined as any malicious attempt to harm or destroy data of another user, the Internet or any agencies or other networks connected to the Internet.) This includes, but is not limited to, the uploading or creation of computer viruses.
- Posting to a discussion group or other public forum, personal communications without the author's consent.



- The sending of chain letters to groups or individuals and any other type of use which would cause congestion of the network or otherwise interfere with the work of others.
- Reading or attempting to modify electronic mail belonging to others.
- Misrepresenting the Council.

Established procedures regarding the signing of official correspondence also apply to e-mail. Employees should NOT forward any formal correspondence via electronic mail without their Director's approval unless formal delegated authority has been given to that staff member.

All care should be taken to ensure that external e-mail messages are addressed correctly. Messages should also identify where they contain personal opinions.

It should be noted that the Electronic Mail system is a communication tool provided by Council to carry out Council business (not personal business). Professional ethics and common sense require that personal messages be kept to a minimum. Personal emails sent using the Council e-mail account will also be considered to be Council property. In addition, an employee may be held accountable for personal emails that they send, whether by using Council's resources or their own, where the employee's statements, opinions or actions conflict with the terms and conditions of their local government employment (e.g. breach of the Employee Code of Conduct).

Council monitors and records all email sent and received and reports are forwarded to Information Services Section for review. Attachments are screened to prevent viruses from corrupting crucial data, hardware and council software. Image files including BMP, JPG, GIF, AVI etc may be marked as spam and messages forwarded to your individual mailbox notifying users that the email has been quarantined and its level of threat will be assessed before being forwarded. Care should be taken when forwarding emails as the sender's permission may be required to obtain prior to the message being forwarded.

### **13. File and E-mail Transfers**

The transfer of files across the Internet affects the performance of the Council computer network. It is important to realise that the bigger a file is, the longer it takes to transmit across the network and that more *bandwidth* is required. This can have a major effect on the performance of other systems running on the network.

In order to avoid network congestion a maximum email file size of 10mb has been determined and the exchange mail server will not permit files larger than this size to come in or go out of the Council network.



A degree of caution should be exercised when sending files with e-mail messages, to ensure that confidential or unrelated files are not inadvertently sent.

**Prohibited Downloads, Applications and Video Streaming**

Council does not permit the download of large unrelated work material such as videos, VOD shout cast s, video streams , demo's, game patches and updates or any illegal copyrighted material.

No computer programs or executable (.exe) files are to be downloaded onto any Council PC without the permission of the Information Services Section and with approval from your Director.

Applications such as Torrent clients e.g. uTorrent, Azures or P2P software e.g. limewire, kazza are not permitted

**14. Disclaimer**

The following Standard Disclaimer must be included when sending external e-mail messages:

"This electronic mail message is intended only for the addressee and may contain confidential information. If you are not the addressee, you are notified that any transmission, distribution or photocopying of this e-mail is strictly prohibited. The confidentiality attached to this email is not waived, lost or destroyed by reasons of a mistaken delivery to you. The information contained in this e-mail transmission may also be subject to Right To Information legislation."

In addition to this, the sender of the email may need to attach a Collection Notice where the email is being sent in order to collect personal information (refer to the Information Privacy Act 2009 and Council Policies/Procedures

**15. Contracts**

The use of electronic mail as a means of communicating contractual correspondence is NOT ACCEPTABLE unless the "contract" itself contains a clause or section specifically accepting email for such purpose. The acceptance of "contract documents", as being valid, when transmitted via electronic mail is always subject to the conditions of the contract itself.

**16. E-mail Addresses for Council Officers**

E-mail addresses for individuals commence with the first letter of the first name and Surname of each officer, followed by Council's registered *domain name*, for example: [csmith@southburnett.cld.gov.au](mailto:csmith@southburnett.cld.gov.au)



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In the case of South Burnett Regional Council employees with the same given names, the employees will be assigned an email address that complies with the same standard but with the exception of the email address containing the first letter of their middle name for example: [cbsmith@southburnett.qld.gov.au](mailto:cbsmith@southburnett.qld.gov.au)

Council's general address for all other e-mail is: [info@southburnett.qld.gov.au](mailto:info@southburnett.qld.gov.au)

Email addresses are NOT case sensitive, however, spacing and punctuation should be observed when using e-mail addresses to ensure they are correct prior to transmission.

### **17. Internet (World Wide Web)**

Outlined below are the conditions under which use of the Internet has been provided.

The Internet should only be used to carry out official duties and contribute to the accomplishment of Council goals. Unauthorised use of the Internet is not permitted.

#### **Unauthorised Use**

- The use of or access to the Internet for inappropriate use or obscene or illegal activities or in support of such activities.(e:g gambling, pornography)
- Inappropriate use shall be defined as the violation of the intended use of the Internet for other than the purpose and goals of Council.
- Obscene activities shall be defined as a violation of generally accepted social standards for the use of a publicly owned and operated communication vehicle.
- Illegal activities shall be defined as a violation of State, Commonwealth or International laws.

Employees who have NOT been granted access to the Internet (World Wide Web) through their own login ID should NOT attempt access via another employees login ID, unless directed to do so by their Director.



### **Authorised Use**

Council accepts that e-mail may on occasion be used for personal use reasons.  
Acceptable personal use includes:

- Sending short personal emails that are required due to urgency or relate to family matters (e.g sick spouse/partner; children or will be late home etc)
- Browsing the internet during lunch breaks or outside normal work hours
- Study materials for research assignments
- Bill payments (internet banking)

### **18. Unethical or Unacceptable Actions**

***Any activity that is unethical and unacceptable would be just cause for Council taking action. This action may include losing access rights to the Internet or formal disciplinary measures being commenced, depending on the offence. Unacceptable action may include but is not limited to the following:***

- Violation of institutional or third party copyright, license agreements or other contracts (refer also to the section on copyright in this document)
- Seeking to gain unauthorised access to information resources i.e. breaking into unauthorised networks like NASA or ATO
- Using or knowingly allowing another to use your Internet account to devise or execute any artifice or scheme to defraud or to obtain money, property, services, or other things of value by false pretences, promises, or representations.
- Without authorisation destroy, alter, dismantle, disfigure, prevent rightful access to or otherwise interfere with the integrity of computer-based information and/or information resources.
- Without authorisation invade the privacy of individuals or entities that are creators, authors, users, or subjects of the information resources



- Transmit or cause to be transmitted communications that may be construed as harassment or disparagement of others based on the criteria of Antidiscrimination legislation and Council policy
- Violate any laws, policies or procedures pertaining to the unauthorised use of computing resources or computer networks.
- Conducting any activity on the Internet that is in breach of the South Burnett Regional Council Code of Conduct for employees and Councillors.

**Misuse**

It is the responsibility of Directors, Managers and Supervisors to ensure that all employees under their control are using the Internet correctly. It is also the responsibility of each individual user to ensure that they have control over the use of their Internet Access and keep secure their login password.

When expressing views on the Internet through e-mail or forums, it is important that this be in accordance with the South Burnett Regional Council Code of Conduct for employees and Councillors

Internet usage by employees will be monitored on a regular basis by Information Services Section. Details of users accessing prohibited or inappropriate Web sites, or spending an inordinate amount of time accessing the Internet, will be forwarded to the appropriate Director for investigation and disciplinary action if required. Prohibited Web sites are those that contain inappropriate or obscene information as outlined in this document.

Officers must ensure that any information or opinions obtained via the Internet be independently validated, as they are generally provided with no responsibility held by the originator and /or provider.

The use of Credit cards on the Internet should be strictly in accordance with Councils "Corporate Card Policy".

**Games/Music**

No game or music is to be downloaded from the Internet onto any Council machine.

**Offensive Material**

Pornographic or other material of an offensive nature is NOT to be searched for or downloaded. This restriction includes such material in textual, graphic and image format.

Employees and Councillors are advised that *Content Checking* software has been installed to quarantine such material and bring this event to the attention of the system Manager, Information Services. Persons attempting to access offensive Web sites can easily be identified by this software.

**Copyright and Licensing**

Copyright law applies to all material published on the Internet. You are responsible for complying with all copyright use and restrictions where noted on Web documents. It is important to locate and read all copyright notices. Keep the following guidelines in mind:

- Search for copyright notices regarding any material you intended to use.
- Always seek permission before copying, redistributing, or editing any copyright material.
- Comply with any licenses or permissions that grant the right to redistribute or otherwise use any copyright material.
- Always include a copyright notice with any such material if the copyright owner (i.e. material courtesy of) requires it

**19. Security**

Electronic mail is not always a secure medium, particularly when sent via the Internet.

E-mail, along with other parts of the Council computer network, is regularly "backed up" and may therefore be preserved for some period of time on back-up tapes.

Anyone who in the course of their work has access to records, files, or data belonging to others should take reasonable precautions to avoid invading the privacy of individuals without their knowledge, and should not divulge or disclose such information to others, unless required by Council policy or State or Commonwealth law.

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Security is essential for the effective and efficient operation of the Internet and for the provision of services and is the responsibility of all users.

Security on any computer system is a high priority. If you feel you can identify a security problem on the Internet or your workstation, notify the Information Services Section immediately - do not demonstrate the problem to other users.

#### **Login Passwords**

You are responsible for any e-mail sent or sites visited via your username or login. It is therefore important to maintain security of your login password. Select only passwords that are not easy to guess or find using a password-cracking program.

Please refer to the guidelines explained in *section 6.Password Requirements* as these are provided to assist employees in selecting and safeguarding appropriate passwords.

When leaving your PC unattended, please remember to log off or lock your workstation, so that any other officer cannot use your e-mail account in your absence.

Responsibility for Internet usage is associated with your user ID and is similar to that used for speed cameras or parking Infringements where the registered owner of a vehicle, not necessarily the driver, incurs the penalty for illegal activities.

#### **Illegal Intrusions**

As an account holder you should immediately notify the Information Services Section if you have lost your password, had it stolen, or have reason to believe that someone has obtained unauthorised access to your account.

The Internet has the potential for illegal intrusions and e-mail accounts are particularly vulnerable to break-in. All suspected violations should be treated seriously.

If you suspect your account has been tampered with, contact the Information Services Section with specific details.

Clues to determining unauthorised access may include:

- Strange files appearing in a directory.
- The system reporting a login when you were not using your PC.
- Files or programs changing size or no longer functioning properly.

Council officers should be aware that serious consequences will result if inappropriate material is detected being exported from or introduced to the Council network.



### Viruses

It is important to be aware that some e-mail messages may arrive with file attachments and that there are risks involved when downloading files from unknown sources.

Regardless of any virus protection measures that have been installed, it is always possible that newer virus strains may be able to penetrate virus scanning at the firewall or the desktop.

When forwarding files you should maintain a record of whom you are sending it to and where these files are distributed in case there is a virus infestation. This will make it easier to contain the situation if this did occur. All downloaded data will be automatically scanned at *point of entry* to the network.

### Blocked Sites

While Council acknowledges that various social networks and other recreational sites are part of modern communication, certain sites are not required as part of Council business. Accordingly, the following sites have been blocked from access through Council's network:

www.youtube.com  
www.ebay.com.au  
www.tab.com.au  
www.myspace.com

Through a regular monitoring program usage of other sites will be reviewed which may result in these sites being added to the list of blocked sites when deemed necessary. For example, access to *www.facebook* has not been blocked, but if it becomes apparent that it is being accessed for non business use then it may be added to the above list.

### Personal Security

The Internet is an improper forum for chain letters or harassing mail and neither are to be sent. If either type is received do not delete it. Notify the Information Services Section who will collect evidence and take steps to halt the communications and advise the relevant Director. Do not reveal personal addresses or phone numbers either of yourself or of others.



## **20. Access and Availability**

Access to e-mail is available at all times to all employees through their normal login privileges. Mail is delivered and sent using Microsoft Outlook (Exchange Server). Access to the Internet is available via Microsoft Internet Explorer and is restricted to employees approved by Departmental Directors.

It is the responsibility of the department to inform the Information Services Section of any new employees that need to have e-mail and/or Internet access.

### **User Support**

User support for technical difficulties ONLY, will be available from the Information Services Section during normal Council working hours (*i.e. Monday to Friday - 8.00 am – 5.00 pm*).

### **Training Support**

Help for MS Outlook is available from within Outlook or other users in your section may be able to assist with minor problems. Minor user problems can be logged through the Information Services Helpdesk. If special training is required employees should contact either their Director or Manager to make arrangements for training courses.

## **21. Council Website**

Responsibility for the Council website is as follows:-

Preparation and amendment to the content contained on Council's website is the responsibility of each Department for their particular area.

Maintenance and alterations to the website is the responsibility of the Information Services. Any information required to be included on the website should be forwarded to the Information Services section after approval from the Chief Executive Officer or relevant Department Director.

Technical issues are the responsibility of the Information Services Section.

## **22. Guidelines and conditions of internet usage**

These guidelines are designed to assist users to access the Internet in a responsible and informed way. Intentional misuse of these facilities will result in the removal of access privileges. Illegal acts



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involving the use of South Burnett Regional Council resources may render the user to prosecution by local, state or federal authorities and/or disciplinary action

**23. Responsibility for Policy**

This policy was approved by Council on.....

Amendments to this policy may only be made through written advice to either of the following two contact officers:

User Contact: Director Community & Corporate Governance

Technical Contact: Coordinator Information Services

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**Resolution:**

*Moved Cr CD Dalton, seconded Cr KA Duff.*

*That the Officer's Recommendation be adopted*

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

**9. Infrastructure****9.1 Infrastructure Operations****9.1.1 IO - 911327 - Requesting that an unnamed road that runs from the Mondure-Wheatlands Road to Campbells Road intersection is named Russell Lane****Summary**

An investigation was carried out by Council's Technical Officer, following a rates query. Councillor Kathy Duff was also responsible for carrying out investigations into the history of this area and possible road names.

**Officer's Recommendation**

That Council approve the name Russell Lane for the unnamed road that runs from the Mondure-Wheatlands Road to Campbells Road intersection

**Resolution:**

*Moved Cr KA Duff, seconded Cr DJ Palmer.*

*That the Officer's Recommendation be adopted*

*Carried 7/0*

*FOR VOTE - All Councillors voted unanimously*

**9.1.2 IO - 898455 - Theebine to Kingaroy Branch Rail Line Closure Compensation Funds Programme of works****Summary**

As a result of inspections and discussions, a revision of the program of works presented to the 21 July 2010 Council Meeting has been undertaken. This report recommends the revised program of works for Councils approval.

**Officer's Recommendation**

That Council adopt the following revised program of works and advise the District Director, Department of Transport and Main Roads accordingly, in relation to the Theebine to Kingaroy Rail Line closure compensation package.

**2010/2011**

Maidenwell Bunya Mountains Road improvements	\$ 400,000
Bunya Highway (River Road/Showgrounds)	\$1.0 million
Thompson Street Bridge	\$ 300,000
Sippels Road Bridge	\$ 120,000
Lamb Street footbridge	\$ 85,000
Oakey Creek Bridge	\$ 300,000
D'Aguilar Highway (Petersen Drive Intersection)	\$ 300,000
Crownthorpe Road (Kapernick Bridge)	\$ 300,000
<b>Total</b>	<b>\$2.805 million</b>

**2011/2012**

D'Aguilar Highway (Lucas Road passing lane)	\$1.2 million
Wondai Chinchilla Road improvements	\$2.0 million

D'Aguilar Highway (Parsons Road intersection)		\$ 150,000
	<b>Total</b>	<b>\$3.35 million</b>
<b>2012/2013</b>		
Proston Boondooma Road improvements		\$1.5 million
Murgon Gayndah Road improvements		\$1.0 million
Mundubbera Durong Road improvements		\$1.0 million
	<b>Total</b>	<b>\$3.5 million</b>
<b>2013/2014</b>		
Bunya Highway (Woods Road passing lane)		\$1.0 million
Bunya Highway (Queen Street to Holliday Street improvements)		\$1.0 million
Cost escalations in final years		\$ 345,000
	<b>Total</b>	<b>\$2.345 million</b>
	<b>Five Year Total</b>	<b>\$12 million</b>

**Resolution:**

*Moved Cr KA Duff, seconded Cr ID Carter.*

*That the Officer's Recommendation be adopted*

*Carried 7/0*

*FOR VOTE - All Councillors voted unanimously*

**9.1.3 Pedestrian walkway between Kingaroy General Hospital and CBD****Motion:**

*Moved Cr ID Carter, seconded Cr CD Dalton.*

*That Council officers investigate the following projects and report back to Council:*

- 1. The feasibility and costing of a pedestrian walkway between the Kingaroy General Hospital and Kingaroy Central Business District, and*
- 2. Safety projects around the Taabinga State School precinct*

*Carried 7/0*

*FOR VOTE - All Councillors voted unanimously*

**9.2 Water & Wastewater****9.2.1 Proposal for New Charge for Downsizing of Water Meters****Summary:**

Council is receiving a number of requests to reduce the size of water meter connections due to the new differential rating applying to water connections.

**Motion:**

*Moved Cr ID Carter, seconded Cr KM Campbell.*

*That Council approve a new charge of \$120.00 for costs associated with the removal and replacement of a water meter, plus the actual cost of the replacement water meter for the 2010/2011 financial year for downsizing of water meters.*

*Carried 7/0*

*FOR VOTE - All Councillors voted unanimously*

**ADJOURNMENT:****Motion:**

*Moved Cr DP Tessmann, seconded Cr BL Green.*

*That the meeting adjourn for approximately one (1) hour*

*Carried 7/0*

*FOR VOTE - All Councillors voted unanimously*

**RESUMPTION:****Motion:**

*Moved Cr BL Green, seconded Cr DJ Palmer.*

*That the meeting resume at 1.43pm with attendance as previous to the adjournment*

*Carried 7/0*

*FOR VOTE - All Councillors voted unanimously*

**10. Finance & Business****10.1 Business & Economic Development****10.1.1 B&ED - 910180 - Review of Directors - Kingaroy Private Hospital Ltd****Summary**

The Board of Directors of the Kingaroy Private Hospital Ltd consists of six (6) persons who are appointed by Council. As well, in accordance with the constitution of the company, Council has appointed an Alternate Director to take the place of directors who are absent for meetings and company business.

As a result of the restructuring of Council, a review of the Council representation on the Board is necessary. The KPHL Board has considered the matter, noted that the Manager of Business & Economic Development should be appointed as a Council representative and asked that the Director Infrastructure maintain links with the Board due to his knowledge of the Board and hospital.

## Officer's Recommendation

That Council approve the Manager Business & Economic Development, Phil Harding, as a Director and the current Director Infrastructure, John Kersnovski, as an Alternate Director on the Kingaroy Private Hospital Board.

### Resolution:

*Moved Cr ID Carter, seconded Cr KM Campbell.*

*That the Officer's Recommendation be adopted*

*Carried 7/0*

*FOR VOTE - All Councillors voted unanimously*

## 10.2 Financial Operations & Planning

### 10.2.1 FO&P - 911564 - South Burnett Regional Council - Monthly Financial Statements

### Summary

The information provides a snapshot of Council's Financial position as at 31 July 2010

## Officer's Recommendation

That the Monthly Financial Report as at 31 July 2010 be received

### Resolution:

*Moved Cr DP Tessmann, seconded Cr ID Carter.*

*That the Monthly Financial Report as at 31 July 2010 be received*

*Carried 7/0*

*FOR VOTE - All Councillors voted unanimously*

## 11. Executive Services

### 11.1 Executive

Nil.

### 11.2 Human Resources

#### 11.2.1 HR - 911869 - Employee Code of Conduct Policy

### Summary

As outlined in the Memorandum submitted to all Councillors on Tuesday 10 August 2010, the main changes to the Employee Code of Conduct arise from the new employee responsibilities under the *Queensland Local Government Act 2009*, and also the application of processes under the *Queensland Information Privacy Act 2009*. It is also considered appropriate to address ethical/appropriate behaviour regarding electronic networking.

Council undertook consultation for the amendment of the Employee Code of Conduct, and the details regarding this were included in the Memorandum dated 10 August 2010. A summary is provided again for your review:

- on 26 July 2010 Council distributed the proposed new Employee Code of Conduct to all staff and the Local Government Employment Group for comment;
- the Employee Code of Conduct had the proposed changes ‘tracked’ into the document, so that they were visible, and there were also comments in the margins advising the reason for the more significant changes (e.g. applicable legislation);
- comments were to be submitted to Judith Otto, Human Resources Advisor, in writing, email or telephone, by close of business, Friday 06 August 2010 (2 week consultation period);
- comments were received from three (3) employees, with agreement reached between two (2) employees and the Human Resources Advisor as to changes to the Employee Code of Conduct. The Human Resources Advisor could not clarify via email the changes to the Employee Code of Conduct that the third employee was requesting. The Human Resources Advisor requested that the employee contact her via telephone to discuss, however the employee did not do so;
  - changes made as a result of the comments include:
  - removal of the reference to “amalgamation” from Clause 6.1, “Message from the Chief Executive Officer”;
  - In the second and third paragraphs of Clause 6.4.7#, removal of the double reference to “police” to make the paragraphs read better;
  - In the second paragraph of Clause 6.4.7#, clarifying the requirements to report missing property to the police, and internal investigation processes;
  - In the final paragraph of “What About Outside of Work?”, Clause 6.4.5#, replacement of the words “to be on the safe side”;
- on 10 August 2010 Council distributed the proposed new Employee Code of Conduct to the Councillors for comment. The Councillors were given:
  - a Memorandum outlining the consultation process and comments received from staff/LGEG;
  - a version of the Employee Code of Conduct which displayed the suggested amendments to reflect the new/amended legislation, and which was distributed to all staff and the LGEG for comment; and
  - a version of the Employee Code of Conduct which displayed the comments received during the consultation phase.
- one Councillor responded with comments. The Councillor suggested altering Section 6.4.3# “Relationship of Employees and Councillors” to refer to Council’s established guidelines. This change was made.  
# - Clause number may have changed as a result of revisions.

**Officer's Recommendation**

That the following amended Employee Code of Conduct be adopted by Council.



## Employee Code of Conduct

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### 1. POLICY STATEMENT

This Employee Code of Conduct states the appropriate ethical behaviour and general conduct to be displayed by employees performing work on behalf of, or otherwise representing, South Burnett Regional Council ("Council").

### 2. SCOPE

This Employee Code of Conduct applies to all Council employees, including temporary and permanent employees, volunteers, work experience students, trainees, apprentices and persons engaged through labour hire. This Employee Code of Conduct may also apply to contractors if stipulated within their contract.

### 3. POLICY OBJECTIVES

To clearly construct the standards of performance and conduct expected of employees by their employer (Council) and their customer base (the public).

### 4. BACKGROUND AND/OR PRINCIPLES

Operating within the sphere of public service, Council is aware of its responsibility to be above reproach, and to be seen to be above reproach, in all of its undertakings. Council and its employees will accordingly perform in a fair, scrupulous and accountable manner, with a focus on meeting the expectations of the community that Council serves. Council aims to achieve this commitment, as well as other objectives detailed in the Corporate Plan, through the establishment and promotion of performance and conduct standards for employees. This Employee Code of Conduct has been developed and will be maintained in accordance with the *Queensland Local Government Act 2009* and the *Queensland Public Sector Ethics Act 1994*, and will operate in conjunction with other Policies and Procedures governing the appropriate and ethical behaviour of employees in the workplace.

### 5. LEGISLATIVE AUTHORITY

*Queensland Local Government Act 2009*  
*Queensland Local Government (Operations) Regulation 2010*  
*Queensland Public Sector Ethics Act 1994*  
*Queensland Whistleblowers Protection Act 1994*

*Queensland Crime and Misconduct Act 2001*  
*Queensland Anti-discrimination Act 1991*  
*Queensland Information Privacy Act 2009*  
*Queensland Workplace Health and Safety Act 1995*  
*Queensland Industrial Relations Act 1999.*

## **6. GENERAL INFORMATION**

### **6.1 Message from the Chief Executive Officer**

South Burnett Regional Council is proudly forging a united, prosperous and sustainable direction for the South Burnett region. Council has many exciting goals in place, as well as challenges to be conquered in a fluid cultural, economic and political environment. I am keen, therefore, for all employees of Council to recognise the strength of their contribution to the organisation, and I call on each of you to apply your combined knowledge, experience and enthusiasm to help lead the region into a new era. Accordingly, it is important to address the behaviour expected of employees whilst they are representing Council, and this Employee Code of Conduct is an important step in this endeavour. By establishing and promoting very high standards of professional, ethical and equitable performance and conduct, this Employee Code of Conduct will help to build a positive organisational culture, ensure transparency and accountability in Council's processes, and garner the trust and commitment of its employees and stakeholders. By being held as the guiding principles of the employee base, the Code will also underpin and reinforce the spirit of cooperation, cohesion and service inherent within Council's work places and work practices.

Accordingly, I encourage all employees of Council to familiarise themselves with this Employee Code of Conduct, and to actively employ it during the conduct of their duties with Council. By recognising their responsibilities as employees of Council, employees will better understand the culture of the organisation, and be better-placed to assist Council in its endeavour to provide exemplary public service. On behalf of Council, I welcome all employees to the exciting future of the organisation and the region.

### **6.2 Council's Vision and Values**

The Vision and Values of Council, outlined in its current Corporate Plan, echo the sentiments of united and sustainable progress at the local and regional level. Council's Vision is:

"Individual communities building a strong and vibrant region."

Meanwhile, Council's Values are encapsulated in the acronym: "ACHIEVE."

*Accountability – we accept responsibility for our decisions and actions.*

*Community – building partnerships, supporting communities and delivering quality services.*

*Harmony – our people working cooperatively to achieve common goals in a supportive and safe environment.*

*Innovation – encouraging an innovative and resourceful workplace and community.*

*Ethical conduct – we behave fairly with open, honest and accountable behaviour and consistent decision-making.*

*Vision – our vision is the driving force behind our actions and responsibilities.*

*Excellence – striving to deliver excellent environmental, social and economic outcomes.*

Council's Vision and Values form the basis of Council's Corporate and Operational Plans, are disseminated throughout Council's internal Policies, Procedures and practices, and are proudly communicated to the public as evidence of Council's intentions and priorities.

### 6.3 Employee Responsibilities

The *Queensland Local Government Act 2009* is underpinned by five (5) Local Government Principles to ensure that the system of local government is accountable, effective, efficient and sustainable. Anyone performing a responsibility under the *Queensland Local Government Act 2009* must do so in accordance with the Local Government Principles. Also, any action that is taken under the *Queensland Local Government Act 2009* is to be taken in a way that is consistent with the Local Government Principles, and provides results that are consistent with the Local Government Principles, in as far as the results are within the control of the person who is taking the action. Disciplinary action may be taken against any Council employee who fails to do this.

The Local Government Principles are:

- transparent and effective processes, and decision-making in the public interest;
- sustainable development and management of assets and infrastructure, and delivery of effective services;
- democratic representation, social inclusion and meaningful community engagement;
- good governance of, and by, local government; and
- ethical and legal behaviour of Councillors and local government employees.

In addition, employees of Council have the following responsibilities as local government employees under the *Queensland Local Government Act 2009*:

- implement the policies and priorities of the local government in a way that promotes –
  - the effective, efficient and economical management of public resources; and
  - excellence in service delivery; and
  - continual improvement;
- carry out their duties in a way that ensures the local government –
  - discharges its responsibilities under the *Queensland Local Government Act 2009*;
  - complies with all laws that apply to local governments; and
  - achieves its corporate and community plans;
- provide sound and impartial advice to the local government;
- carry out their duties impartially and with integrity;
- ensure the employee's personal conduct does not reflect adversely on the reputation of the local government;
- improve all aspects of the employee's work performance;
- observe all laws relating to their employment;
- observe the Ethics Principles under the *Queensland Public Sector Ethics Act 1994*, Section 4;
- comply with a Code of Conduct under the *Queensland Public Sector Ethics Act 1994*.
- not ask for, or accept, a fee or other benefit for doing something as a local government employee (apart from remuneration paid by the local government, or a benefit that has only a nominal value);
- not unlawfully destroy or damage property of the local government;
- not make improper use of information acquired as a local government employee to gain, directly or indirectly, an advantage for themselves or someone else; or to cause detriment to the local government (even after ceasing employment with local government or a particular Council); and

- not release information that the employee knows, or should reasonably know, is information that is confidential to the local government, and which the local government wishes to keep confidential (even after ceasing employment with local government or a particular Council).

Meanwhile, employees of Council have responsibilities in accordance with five (5) Ethics Principles of the *Queensland Public Sector Ethics Act 1994*:

#### **6.3.1 Ethics Principle - Respect for the law and system of government**

Employees will uphold the laws of the Local Government, State and Commonwealth. Employees will also carry out work-related decisions, actions and policies faithfully and impartially, and in accordance with all Council Policies and Procedures. This requirement does not detract from an employee's duty to act independently of government if the employee's independence is required by legislation or government policy, or is a customary feature of the employee's work.

#### **6.3.2 Ethics Principle - Respect for persons**

In the course of their work with Council, employees will act in a responsive manner, to optimise client satisfaction and productivity. Employees will treat all persons with honesty and fairness, and with proper regard for their rights and obligations.

#### **6.3.3 Ethics Principle - Integrity**

Employees will maintain an awareness of their role as a public service provider. They will seek to maintain and enhance public confidence in the integrity of public administration, and to advance the common good of the community served by Council.

Employees will not improperly use, or allow the improper use of, their official powers or position. Similarly, employees must ensure that any conflict that may arise between their personal interests and official responsibilities is resolved in favour of the public interest. Employees will also disclose any instances of fraud, corruption and maladministration that the employee becomes aware of in the course of their role with Council.

#### **6.3.4 Ethics Principle - Diligence**

Employees shall exercise proper diligence, care and attention while performing their duties, and seek to achieve high standards of public administration.

#### **6.3.5 Ethics Principle - Economy and Efficiency**

Employees will ensure that public resources are not wasted, abused, or used improperly or extravagantly.

### **6.4 Application of Ethical Responsibilities**

#### **6.4.1 Local Government Principles**

The Local Government Principles should be evident in the working lives of all Council employees. Council's policies, systems and activities should be established and undertaken with the Principles at the forefront of planning and implementation. For instance, the Local Government Principle of 'delivery of effective services' should be evident from the speed with which the Customer Service call is answered, to the thoroughness with which a Director attends to the customer's request.

#### 6.4.2 Conflict of Interest

Working in local government may expose Council employees to conflicts of interest in the course of their duties. An example of a conflict of interest is where an employee owns a plant-for-hire business that the Council occasionally sources plant from. The employee must advise Council of this relationship, and remove themselves from any decisions made by Council regarding the hiring of plant, in order to protect the integrity of Council.

Conflicts of interest may also occur during the recruitment and selection process. Where an employee is serving on a Selection Panel and one of their associates has applied for the position, the employee must declare this conflict of interest and remove themselves from the Selection Panel. This ensures that fair and objective decisions are made regarding employment opportunities, in accordance with the Merit principle.

Conflicts of interest, where they occur, must always be resolved in favour of the public interest, rather than to the benefit of Council or its employees.

Council employees are required by the *Queensland Local Government Act 2009* to carry out their duties impartially and with integrity, and should an employee fail to declare a conflict of interest, they may be in breach of their responsibilities. This may result in disciplinary action being taken by Council, and may also constitute fraud (i.e. criminal offence).

##### ***How Can I Prevent a Conflict of Interest?***

Employees who have a material interest in a particular Council issue, or otherwise suspect that they are posed with a conflict of interest, must immediately suspend all action which may constitute or exacerbate a conflict of interest. They must detail their circumstances and the potential conflict of interest **in writing**, and forward this via their Supervisor to Governance and the Chief Executive Officer for consideration. The employee must avoid any action which may create or exacerbate the conflict of interest until written approval has been granted by the Chief Executive Officer. Employees are expected to declare any personal or business relationships, which may pose a conflict of interest, in this manner.

Similarly, employees who wish to engage in employment outside of Council (i.e. "secondary employment") must make a written submission via their Supervisor to Human Resources and the Chief Executive Officer (or delegated Officer) prior to commencing the employment. Council will advise the employee of the submission's outcome within five (5) working days of the Chief Executive Officer receiving the submission. Council will not unreasonably withhold permission for secondary employment, but is not obligated to provide it where a conflict of interest may occur.

In order to prevent situations where there are conflicts of interest, Council will develop and maintain Registers of Interests in accordance with the *Queensland Local Government (Operations) Regulation 2010*. Council will also develop and maintain a Gifts and Benefits Register (refer to Council's Gifts and Benefits Policy).

#### 6.4.3 Relationship of Employees and Councillors

The Mayor may give a direction to the Chief Executive Officer in accordance with the *Queensland Local Government Act 2009*, however no other Councillor may do so. No Councillor, including the Mayor, may give a direction to any other local government employee.

The Chief Executive Officer has made guidelines about the way in which a Councillor is to ask a local government employee for advice to help the Councillor to make a decision. These guidelines are available from Executive Services and the staff intranet.

#### 6.4.4 Fraud

Fraud involves the misappropriation of assets, be they tangible assets (e.g. goods or resources) or intangible assets (e.g. work time). Examples of fraudulent acts include theft of Council assets, the destruction of Council records, forgery, and making false statements. For instance, an employee making false statements about their qualifications or experience can be considered fraudulent activity. The mis-use of Council assets for personal purposes is another example of fraud (e.g. unauthorised use of a Council vehicle for personal use). The conduct of fraudulent activities by Council employees will be severely disciplined by Council and may result in criminal charges against the offending employee.

##### *Use of Resources*

Council is willing to grant employees reasonable use of Council resources for personal use, for instance, use of a Council telephone to make local phone calls (e.g. to schedule a medical appointment), or use of a Council photocopier to copy a small personal document. This "reasonable use" should be recognised by employees as a privilege, not a right, and should not be abused. Any use of Council email accounts for personal use, personal email accounts through use of Council resources, internet usage for personal use, or other utilisation of Council's communication/technology resources must be strictly in accordance with Council's Computer, Internet and Email Usage Policy, or other associated Policies/Procedures.

Meanwhile, employees may only make personal use of Council vehicles as stipulated within their Letter of Offer, the Certified Agreements, and relevant Council Policies and Procedures.

In general, when using Council resources, employees should be aware of their responsibility under the *Queensland Local Government Act 2009* to promote the effective, efficient and economical management of public resources. For instance, employees may choose to conduct a meeting using videoconferencing or teleconferencing as opposed to meeting in person, and will therefore save on travel costs and travel time.

#### 6.4.5 Professional Image and Conduct

Council employees and representatives are expected to display a professional image, both in terms of appearance and behaviour, at all times when they are performing work for Council or otherwise representing Council. This includes demonstrating:

- non-discriminatory behaviour (refer to Council's Equal Employment Opportunity Policy);
- behaviour free of workplace harassment (refer to Council's Harassment Prevention Policy);
- behaviour free of sexual harassment (refer to Council's Harassment Prevention Policy);
- responsible and appropriate behaviour in relation to alcohol, drug and fatigue management (refer to Council's Fitness for Work Policy and Procedure);
- ethical behaviour with regard to gifts and benefits (refer to Council's Gifts and Benefits Policy);
- ethical behaviour consistent with the employee responsibilities of the *Queensland Local Government Act 2009*, and the Ethics Principles and Obligations of the *Queensland Public Sector Ethics Act 1994* (refer to this Employee Code of Conduct); and

- appropriate use of the Council uniform (refer to Council's Uniform Policy and Procedure, and workplace health and safety obligations).

Employees will present for and undertake Council work in an acceptable state of fitness (refer to Council's Fitness for Work Policy and Procedure). Employees who present for or undertake Council work while under the influence of alcohol or drugs may be subject to disciplinary action.

Employees also have standards to adhere to in relation to their physical appearance. A neat, tidy and professional appearance must be maintained at all times. Council uniform and Personal Protective Equipment must be worn and used in accordance with Council's directives and relevant Workplace Health and Safety legislation.

Aggressive, intimidating or threatening behaviour will not be tolerated.

#### ***How Can I Help?***

Employees are expected to deal with all customers and stakeholders – including other Council employees – in a professional and approachable manner, with a focus on providing the best service possible to each person. To facilitate this level of service, employees will take responsibility to improve all aspects of their work performance. Employees can better their own understanding of Council functions by asking questions, seeking to clarify their role with Council, and by studying material on Council functions and activities provided to them during their employment (e.g. new Policies; staff newsletters). Employees are also encouraged to discuss ideas for improving systems or processes with their team or supervisor. Employees are also encouraged to take advantage of Learning and Development opportunities offered by Council to ensure that the employee is continually improving their skills and knowledge in relation to their work with Council. .

#### ***What If I Don't Agree with an Instruction From my Supervisor?***

Employees are expected to carry out all reasonable directions given by an authorised Council employee or representative, such as their Supervisor. The exceptions to this rule are where the instructions given are prohibited by legislation, or may pose a danger to workplace health and safety. In these instances, the employee will suspend themselves (and any other affected employees) from duty in order to discuss the issue with higher management and the Workplace Health and Safety Officer as necessary. Frivolous claims will be investigated and employees may be disciplined by management.

#### ***What About Outside of Work?***

Under the *Queensland Local Government Act 2009*, employees are responsible for ensuring that their personal conduct does not reflect adversely on the reputation of Council. One example of how employees may comply with this responsibility is to avoid wearing Council uniform, or any other item identifying them as a Council employee, outside of working hours. Meanwhile, employees may consider that electronic networking (e.g. Facebook website, blog pages, Twitter, email, mobile phone communications) have no bearing on their relationship with Council. However, depending on the information or data being communicated, it is possible for an employee to breach legislation, Council Policies/Procedures, or otherwise commit misconduct or harassment while participating in electronic networking. This may be the case even where the communications occur outside of working hours and/or using personal equipment. For instance, if an employee discloses confidential Council information on their personal Facebook site, they will be in breach of both the *Queensland Local Government Act 2009* and Council's Employee Code

of Conduct. Also, where an employee makes negative comments regarding Council or Council employees, representatives or customers, that employee may have failed in their responsibility to ensure that their personal conduct does not reflect adversely on the reputation of Council. An employee may also be disciplined for harassment, bullying, discrimination or unacceptable conduct towards another employee where they have made negative comments during electronic networking.

For their own protection and the protection of Council, it is strongly recommended that employees not discuss any Council operations or Council employees/representatives when conducting social electronic networking. Employees must remember that electronic networking mediums are generally not private.

#### 6.4.6 Use of Information

Employees are restricted in how they make use of data and information that they come across during their employment with Council. Employees must not:

- use information that they come across during the conduct of their duties with Council to their own advantage, or to cause harm to Council or another person;
- violate copyright restrictions;
- collect, use, store, disclose, distribute or transfer personal information except as allowed by the relevant Collection Notice and the *Queensland Information Privacy Act 2009*, and in accordance with Council's Policies and Procedures;
- handle confidential information in a way that contravenes established practices, Policies and Procedures of Council; and
- use or disclose confidential information, or make a copy or any other record of confidential information, except:
  - in the proper performance of duties by the employee;
  - as required by law; or
  - where prior written approval from the Chief Executive Officer has been obtained.

The inadvertent or deliberate unauthorised release of confidential and/or personal information by a Council employee will not be condoned, as it can place the parties involved, as well as the integrity of Council, at risk. Employees are bound not to release confidential information even after their period of employment with Council has ceased.

#### ***Can I Talk to the Media?***

Unless authorised by the Chief Executive Officer, under no circumstances may an employee make a public comment to the media regarding their official duties with Council or the operations of Council. Not only might the individual's comments be incorrectly construed as the opinion or position of Council, but the individual may breach their obligations as an employee of Council. Council will generally have particular officers authorised to provide information or comment on behalf of Council to the media.

Where employees have a grievance with Council officers or processes, they are expected to request resolution through discussions with management and Council's Dispute Resolution Procedure.

#### ***Can I Hand Out Personal Details?***

Employees will treat the personal information of customers and stakeholders with privacy and respect, and as required under the *Queensland Information Privacy Act 2009*. For

instance, details of persons applying for employment with Council can only be provided to those parties detailed in the relevant Collection Notice. Release of personal information to parties not specifically named in the Collection Notice may be a breach of the *Queensland Information Privacy Act 2009*.

Intellectual property rights also apply to an employee's period of employment with Council. By virtue of being employed by Council, all intellectual property rights created by the employee in the course of their employment are owned by Council, with the employee required to assist Council in vesting intellectual property rights should the need arise. For instance, should an employee discover, develop or produce an item, idea or image in the course of their employment with Council, Council retains the right to investigate, utilise and register the employee's work (e.g. patenting or copyrighting of a computer program or literary work). During the period of employment, the employee implicitly consents to alterations and actions involving the employee's work, which might otherwise infringe the moral rights of the employee.

#### 6.4.7 Reporting by Employees

Employees are expected to report any suspected or verified behaviour contravening this Employee Code of Conduct, any of Council's other Policies and Procedures, or legislation, to management for investigation, even where the employee has witnessed, rather than been victim of, the behaviour. All reporting and investigating of inappropriate behaviour must be thoroughly documented and handled in a confidential manner.

In the instance of stolen property, or property that is unsatisfactorily accounted for, the employee must lodge an Incident Report at the earliest opportunity to allow the matter to be investigated. A copy of the Incident Report must be forwarded immediately to the Chief Executive Officer.

Where property valued at \$1000 or more is missing, the Chief Executive Officer (or a delegated officer) will immediately give written notice to the auditor-general, in accordance with the *Queensland Local Government (Operations) Regulation 2010*. Also, if Council suspects the property (valued at \$1000 or more) may have been stolen, the Chief Executive Officer or delegate will immediately give written notice to the Queensland Police Service. For property of lesser value, Council may at its discretion proceed with an internal investigation first.

Depending upon the circumstances, it may also be appropriate for the employee to directly report an incident to external agencies, including the Department of Local Government, Auditor-General, Human Rights and Equal Opportunities Commission, Anti-discrimination Commission, and Crime and Misconduct Commission. The *Whistleblowers Protection Act 1994* provides protection for employees who promote the public interest by disclosing:

- official misconduct;
- maladministration;
- waste of public funds;
- danger to public health or safety;
- danger to the environment;
- danger to the health or safety of a person with a disability; or
- a reprisal for making, or intending to make, a public disclosure.

However, the Crime and Misconduct Commission encourages employees intending to make a public disclosure to discuss the issue with their organisation first. Council encourages employees considering making a public disclosure to speak confidentially with the Crime and Misconduct Commission first, as well as a trusted Supervisor, Manager, Director or Human Resources representative within Council.

Under the *Queensland Crime and Misconduct Act 2001*, the Chief Executive Officer is required to report any suspected official misconduct to the Crime and Misconduct Commission.

Employees are expected to notify their Supervisor/Manager where they have been charged for, or found guilty of, a criminal offence during or prior to their employment with Council, where the offence/alleged offence may impact on the employee's employment with Council. An example is where an employee has been charged with driving under the influence of alcohol when the employee is expected to operate a vehicle for Council. The provision of such information will enable Council to assess the employee's circumstances and relevance of the crime to the employee's work or position with Council. The information given by the employee will be treated as confidential, and in accordance with the *Queensland Information Privacy Act 2009*.

Where an employee is found to have made a knowingly false or vindictive claim regarding the alleged behaviour of another employee, management shall investigate the claimant's conduct and take appropriate action in accordance with Council's Employee Code of Conduct and Discipline Procedure.

#### **6.5 Assistance and Advice**

Employees are encouraged to seek clarification regarding this Employee Code of Conduct, or to discuss any related issues, with their Supervisor at the first opportunity. Alternatively, employees may seek confidential advice from Human Resources, and may also access Council's Employee Assistance Program for general advice and counselling purposes. The Crime and Misconduct Commission is also a supportive and relevant resource for local government employees.

#### **6.6 Education Program**

Council has developed a program to educate all employees in, and raise awareness of, the Employee Code of Conduct and its applicability to the workplace. The Employee Code of Conduct education program incorporates, and provides examples on, the employee responsibilities of the *Queensland Local Government Act 2009* and the *Queensland Public Sector Ethics Act 1994*. The program also provides information on the repercussions of breaches of the Employee Code of Conduct.

Employees will receive their first formal training in the Employee Code of Conduct at the Council Corporate Orientation. Awareness of the Employee Code of Conduct will also be encouraged by placing it prominently in workplaces, and making it available to staff on the intranet system. The Employee Code of Conduct will also be made available at each of Council's workplaces for inspection and purchase by the public.

#### **6.7 Failure to Comply**

Where an employee is found to have contravened the requirements of this Policy or any associated legislation – including the undertaking of, or failure to report, unethical behaviour – they may be subject to disciplinary action in accordance with the *Queensland Local Government Act 2009*, *Queensland Local Government (Operations) Regulation 2010* and Council's Discipline Procedure. The employee may also face investigation and action by an external agency or party as authorised by legislation (e.g. Crime and Misconduct Commission; Anti-discrimination Commission; Police, civil liability action), and where a relevant law has been breached, such as by the conduct of fraud or sexual harassment, then criminal charges may also apply.

Dismissal (including instant dismissal) of an employee is a discipline measure available to Council. It will generally be applied where an employee is found to have committed official misconduct

under the *Queensland Crime and Misconduct Act 2001* and *Queensland Industrial Relations Act 1999*, which may include:

- conduct of fraudulent activities;
- physically abusing another person; or
- sexually harassing another person.

#### 6.8 Dispute Resolution Procedure

Employees have the right to lodge a grievance or complaint regarding an industrial matter in accordance with Council's Dispute Resolution Procedure.

### 7. DEFINITIONS

**Associate** – an associate of an employee may be a relative, friend, business acquaintance, business, or not-for-profit entity that has some connection with the employee.

**Confidential Information** – any and all confidential information which is disclosed to the employee, or which is otherwise made known to the employee, or is generated by the employee in the course of the employee's employment (except where that confidential information is or comes into the public domain otherwise than through the employee's breach of this document), and includes, without limitation:

- information that would be of commercial value to the Council;
- data, reports, statistics, formulae, scientific and technical information, plans and product specifications, whether written or oral;
- information that relates to property, assets, liabilities, finances, dealings or functions of Council or any undertaking from time to time carried out by Council;
- quotations and tenders submitted or prepared for submission to Council;
- information that relates to Council's suppliers or providers, including lists of suppliers and providers and their contract details and requirements;
- information found in the Council's manuals or policies; and
- documents and other records incorporating any confidential information.

**Conflict of Interest** – an issue about a conflict between a person's personal interest and the person's official duties with Council.

**Employee** – for the purposes of this Employee Code of Conduct, "employee" refers to any Council employee, including temporary and permanent employees, volunteers, work experience students trainees, apprentices, persons engaged through labour hire; and to any contractors where compliance with this Employee Code of Conduct is stipulated in their contract with Council.

**Ethics** – the moral principles which motivate human behaviour and responses to perceived conflict.

**Fraud** – deliberate deception to facilitate or conceal the misappropriation of assets. This includes acts of commission (e.g. false claims, false pretences, forgery) as well as acts of omission (e.g. failure to provide essential information, evasion, the destruction or omission of documents or records).

**Gift/Benefit** – a tangible or intangible item, service, or offering of value (monetary or otherwise), that is not part of an employee's normal salary or employment entitlements. Examples include preferential treatment, material items, hospitality and entertainment, promotional materials, vouchers, and discounts for any of these.

For the purposes of the *Queensland Local Government (Operations) Regulation 2010* a gift is:

- the transfer of money, other property or other benefit —
  - without consideration; or
  - for a consideration substantially less than full consideration; or
- a loan of money or other property made on a permanent or indefinite basis, other than an overdraft facility.

**Intellectual Property Rights** – all industrial and intellectual property rights, both in Australia and throughout the world, and including any copyright, patent, registered or unregistered trade mark, registered or unregistered design, registered or unregistered plant breeder's right, trade secret, knowhow, right in relation to semiconductors and circuit layouts, trade or business or company name, indication or source or appellation of origin or other proprietary right, or right of registration of such rights.

**Maladministration** – an action or decision which is unlawful, unreasonable, unfair, improperly discriminatory or otherwise wrong, which adversely affects someone's interest in a substantial and specific way.

**Material Personal Interest** – where a person has, or should reasonably have, a realistic expectation that the person or an associate of the person stands to gain a benefit or suffer a loss from their involvement with an issue.

**Merit Principle** – each applicant for a vacancy has their demonstrated skills, abilities, qualifications, knowledge, experience and other such competencies assessed against the pre-determined standards (Selection Criteria) for the position.

**Moral Rights** – the right of integrity of authorship, the right of attribution of authorship and the right not to have authorship falsely attributed, including those rights as conferred by the *Copyright Act 1968* (Commonwealth), and rights of a similar nature anywhere in the world whether existing before, on or after an employee's date of commencement with Council.

**Official Misconduct** – conduct that could, if proved, be:

- a criminal offence; or
- a disciplinary breach providing reasonable grounds for terminating the person's services, if the person is or was the holder of an appointment; and
  - involving dishonesty or lack of impartiality; and/or
  - a breach of the trust put in a person by virtue of their position; and/or
  - a misuse of officially obtained information.

## 8. RELATED POLICIES AND PROCEDURES

Council's related Policies and Procedures are available from Council's intranet site, or upon request from Human Resources.

## 9. DATE REVIEWED

Adopted 11 November 2009. Reviewed 25 August 2010.

## 10. NEXT REVIEW

2012

Page 12 of 12

### Resolution:

*Moved Cr BL Green, seconded Cr KA Duff.*

*That the Officer's Recommendation be adopted*

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

**12. Information Section**

**12.1 IS - 909488 - Reports for the Information of Council**

**Summary**

Minutes of the Arts, Culture & Heritage Management Advisory Committee  
Community & Corporate Governance Report  
Director's Report for Infrastructure  
Workplace Health & Safety Report  
Delegated Authority Report  
List of Correspondence pending completion of assessment report

**Officer's Recommendation**

That the reports be received

**Resolution:**

*Moved Cr BL Green, seconded Cr CD Dalton.*

*That the listed reports be received*

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

**CLOSED SESSION:**

**Motion:**

*Moved Cr KA Duff, seconded Cr KM Campbell.*

*That the meeting be closed to the public for Council discussions in accordance with the Local Government Act 1993 Section 463(1)(e) contracts proposed to be made by it*

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

**OPEN COUNCIL:**

**Motion:**

*Moved Cr KA Duff, seconded Cr DP Tessmann.*

*That the meeting resume in Open Council.*

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

**Report:**

The Mayor reported that whilst in Closed Session, in accordance with the Local Government Act 1993 Section 463(1)(e) contracts proposed to be made by it, Council considered matters concerning the panel of providers for plant and equipment hire and assessment of tenders for fluoridation.

**Motion:**

*Moved Cr ID Carter, seconded Cr KM Campbell.*

*That the Mayor's report be received*

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

**13. General Section**

**13.1 GS - 911886 - Panel of Providers for Plant and Equipment Hire**

**Reason for Confidentiality**

This report is **CONFIDENTIAL** in accordance with Section 463(1)(e) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

(e) contracts proposed to be made by it

**Recommendation**

That Council approve the following Plant and Equipment Providers to form the South Burnett Regional Council Plant and Equipment Hire – Preferred Supplier List for the period 1 September 2010 to 31 August 2012.

COMPANY	TYPE OF PLANT	AREAS
<b>ALL WET WATER TRUCK HIRE</b>		
Postal Address - PO Box 1359 Gympie QLD 4570	Volvo FM 12 12800 ltr Water Cart	7
ABN - 79 879 280M960		
Ph. No. - 0417390046		
Fax No. - 07 54820725		
E-Mail - jan@allwetwatertruckhire.com.au		
<b>ALL TRACK TRENCHING</b>	12T - Track Trencher	7
Postal Address - PO Box 3022 CLONTARF QLD 4019		
ABN - 68 132 379 607	8.5T Excavator (2)	7
Ph. No. - 07 31420123		
Fax No. - 07 30203831	4.5T Skid Steer Loader	7
E-Mail - admin.qld@alltracktrenching.com		
	<b>Dry Hire</b>	
	8.5t Excavator (2)	7
	4.5 T Skid Steer Loader	7
<b>B &amp; K TRANSPORT SERVICES PTY.LTD.</b>	KenworthT600 Tip Truck & 4 Axle Quad Dog Trailer Pay Load 32.50T (1)	7
Postal Address - PO Box 62 WOOROOLIN QLD 4608		
ABN - 44 292 106 618		
Ph. No. - 07 41642340		
Fax No. - 07 41642370	Hamlex 19mtr Hunter B-Double Stag Gravel Trailers - Pay Load 36.50T (10)	7
E-Mail - kym.vagg@bigpond.com		
	Kenworth T600 Tip Truck	7
<b>Gay Bochmann</b>		2-3-4-6
Postal Address - PO Box 68 WOOROOLIN QLD 4608	Ford Tractor 4110 equipped with blade and 5 foot extra heavy duty slasher	
ABN - 49 542 925 489		
Ph. No. - 0427134261		
Fax No. - 9741690999		2-3-4-6
E-Mail - boch@live.com.au	New Holland Boomer Tractor 1030 equipped with 4 in 1 bucket and 54 inch light weight slasher	
	New Holland Boomer Tractor equipped	2-3-4-6

	with 60 inch mower deck	
	John Deere Lawn Mower L110 equipped with 48 inch deck	2-3-4-6
	Stih Brushcutter & Blower	2-3-4-6
	International Acco 3070 12 Ton Tray Back Body Truck	7
	2,5 Ton Tandem Tilt Tray Trailer equipped with 21/4 Ton Winch	7
	Pilot Vehicle with Class 2 Licence Driver Toyota Landcruiser 4x4	7
<b>WINSTON BURROWS BACKHOE AND TRUCK HIRE</b>	John Deere Backhoe Loader Model 315D Series 4WD 79 HD Turbo, Mitsubishi FV517 Tipper and Tag -a-long Trailer	3
Postal Address - 83 Haly Street WONDAI QLD 4066		
ABN - 43 010 894 890		
Ph. No. - 07-41685543		
Fax No. - 07-41685543		
E-Mail - burrows @burnett.net.au		
	John Deere Backhoe Loader Model 315D Series 4WD 79 HD Turbo, Mitsubishi FV517 Tipper and Tag -a-long Trailer	2-4-6
	Mitsubishi FV517 Tipper - Capacity GCM 39000 (KG)	2-3-4-6
	Mitsubishi FV517 Tipper - Capacity GCM 39000 KG) & Tag-A - Long Trailer Capacity ATM 18000(Kg)	2-3-4-6
	<b>Dry Hire:</b> John Deere Backhoe Loader Model 315D Series,4WD 79 HP Turbo	3
	<b>Dry Hire:</b> Mitsubishi FV517 Tipper - Capacity GCM 39000 KG) & Tag-A - Long Trailer Capacity ATM 18000(Kg)	3
<b>BANJO'S EARTHMOVING</b>		
343 Scotts Lane NANANGO QLD 4615	Cat 325 BL 30T Excavator	7
Postal Address - PO BOX 434 NANANGO QLD 4615		

ABN - 93 514 973 629	Cat D4E Dozer	7
Ph. No. - 07 41633034		
Mobile No. - 0427645774	Float Hire (To move machinery)	7
E-MAIL - banjolyn@activ8.net.au		
<b>MICK BIDDLE BULK HAULAGE</b>		
406 Boonenne/Ellesmere Road TAABINGA QLD4610	Bogie Tipper	7
ABN - 30 523 706 270		
Ph. No. - 07 41627961	Bogie Tipper & 3axle trailer	7
Mobile No. - 0408776134		
Fax No. - 07 41625916	Bogie Tipper & Quad DVL Trailer	7
E-Mail - mickstipperhire@bigpond.com		
	"B Double" Tipper	7
	Volvo Loader 2.50m3 Bucket with scales	7
	Cat Loader 5.50m3 bucket with print out scales	7
		7
	2008 590 Super R Case Backhoe	
<b>DP CASSIDY</b>		
Postal Address - 223 Malar Crescent NANANGO QLD 4615	With the following attachments- 300/450/600/900mm buckets-1200mm tilting badder bucket-450/600mm post hole borers. 2004 Ford Sterling Truck. Truck and backhoe under one price	
ABN - 81 397 200 726		
Ph. No. - 07 41710608		
Mobile - 04597106608		
Fax No. - 0741710608		
E-Mail - cass078@hotmail.com		
	Table Top Truck - 30 foot bed	7
	Tip Truck /Boggie Drive Truck and Dog	
<b>COATES HIRE OPERATIONS PTY.LTD.</b>		
55-61 Meakins Road MEADOWBROOK QLD 4131	<b>DRY HIRE ONLY PLEASE REFER TO BOOK FOR SCHEDULE OF RATES ( PROVIDED TO OVERSEERS)</b>	
ABN - 99 074 126 971		
Ph. No. - 07 32999700		
Fax No. - 07 32999750		
E-Mail - matt.harward@coateshire.com.au		
<b>CONPLANT PTY.LTD.</b>		
563 Bli Bli Road NAMBOUR QLD 4560	<b>DRY HIRE ONLY PLEASE REFER TO BOOK FOR SCHEDULE OF RATES (</b> <b>PROVIDED TO OVERSEERS)</b>	
ABN - 15 000 373 151		
ACN - 000 373 151		

Ph. No. - 07 5441 7816		
Fax No. - 07 5441 7250		
E-Mail (Craig Marsden) - Craig.marsden@conplant.com.au		
<b>COOKIES TIGHT ACCESS</b>		
Postal Address - PO Box 194 WONDAI QLD 4606 ABN - 42 115 640 678	2007 Case Skid Steer Loader with all attachments	7
Ph. No. - 0741690878 Fax No. - 0741690878		
E-Mail Address - cookiestightaccess@gmail.com		
	Hinowa Mini Excavator/Digger with all attachments	7
	1978 Kenworth Tip Truck	7
	Manual Labour	7
	100 Tonne Crane from depot to depot	7
<b>HAMS CRANE HIRE</b>		
16 Stolzenberg Road KINGAROY QLD 4610 Postal Address - PO Box 1053 KINGAROY QLD 4610 ABN - 15 695 879 149 ACN - 010 478 896 Ph.NO. - 07 41621801 Fax No. - 07 41621901 E-Mail - hamscranehire@bigpond.com	80 Tonne Crane from depot to depot	7
	25 Tonne Crane from depot to depot	7
	20 Tonne Frana Crane depot to depot	7
	12 Tonne Frana Crane depot to depot	7
	Truck with counterweight if required	7
	Dogman for Crane	7
<b>DIAMINTINA VEGETATION MANAGEMENT</b>		
Postal Address - 111 BLACKBUTT QLD 4306 ABN - 70 664 580 122 Ph. No. - 41630507 Mobile - 0428416305 Fax. No. - 41630504 E-Mail - dan@grass.slashing.com	2008 Landini Powertfarm 85hp Tractor & 6' EHD Howard Slasher  2010 Kioii Daedong 75hp ROPS 4X4 Front End Loader 4in 1 bucket and blade	5  5
<b>GREG DAY BOBCAT HIRE</b>		
	Herbicide Spraying	5

488 Tingoorra Chelmsford Road WONDAI QLD 4606	2054 Mustang Bobcat(6 months old),4in 1 bucket, spreader bar, lifting forks, post hole borer with 225.300,350.450 and 600mm augers,slasher,chain digger, all fitted with yellow flashing light and reversing alarms	7
Postal Address - PO BOX 305 WONDAI QLD 4606		
ABN - 69 672 893 390		
Ph. No. - 07 41690661		
Mobile No. - 0419737856		
Fax No. - 07 41690662		
E-Mail - grladay7@bigpond.com		
	3.50 Tonne Yanmar Excavator with 300.350,450,600mm buckets and 1m tilt bucket, post hole borer,ripper,rock breaker, all fitted with yellow flashing light and reversing alarms	7
	10M Freightliner Truck fitted with 2 flashing lights, reversing alarm,2 way tailgate, roll over tarpaulin	7
	Electric Scissor	7
<b>ELEVATED SOLUTIONS PTY.LTD.</b>		
Postal Address - PO Box 1053 KINGAROY QLD 4610		
ABN - 83 135 265 262		
Ph. No. - 0741621801		
Fax No. - 0741621901	R/Terrain Scissor - SR3370 & 3S2770	7
E-Mail - hamscranehire@bigpond.com		
	Trailer Mounted EWP	7
	Boom Lift Knuckle	7
	Boom Lift Stick	7
	Volvo BL71 Backhoe Loader	7
<b>WAYNE ENGLISH EARTHMOVING</b>		
PO Box - 569 NANANGO QLD 4615		
ABN - 51 839 078 061		
Ph. No. - 0741631040	Toyota 4SKD 8 Loader (Skid Steer Loader) (2)	7
Mobile - 0418789547		
Fax No. - 41633276		
E-Mail - hmous@aapt.net.au	Kubota Excavator 3.5T	7
	Caterpillar Roller 2.5T	7
	Volvo FH12 Tipper 10mtr	7
	Mitsubishi Tipper 10mtr	
	Case Excavator & Rock Breaker 3.5T	7
	Float Tag Trailer 26T GVM	7
	<b>DRY HIRE</b>	

UNCONFIRMED

	Caterpillar Roller 2.5T	7
<b>GREG EVANS EXCAVATOR HIRE</b>		
49 Crittenden Road MEMERAMBI QLD	Excavator 20T Make & Model not specified	7
Postal Address - PO BOX 88 KINGAROY QLD 4610		
ABN - 39 293 058 605 Ph No. - 0407762233	Excavator 20T Make & Model not specified	7
Fax No. - 07-41642394 E-Mail - geeh@bigpond.com	Excavator 20T Make & Model not specified	7
	Excavator 6T Make & Model not specified	7
	Truck Tipper 10m3 Make & Model not specified	7
<b>T &amp; C GAULT GRADER HIRE</b>	John Deere 670CH Series 2 Grader - 2004 - Rippers,14ft Blade, Front Blade	7
Postal Address - Banjos Place - Grectores Creek Road - KILCOY QLD 4515		
ABN - 22 934 321 133 Ph. No. - 07 54984058		
Mobile - 0417005584 Fax No. - 07 54984058 E-Mail - callicannongault@bigpond.com	John Deere 670B Grader - 1995 - Rippers,12 ft Blade, Front Balde	7
<b>HANDI HIRE</b>	<b>DRY HIRE ONLY PLEASE REFER TO BOOK FOR SCHEDULE OF RATES ( PROVIDED TO OVERSEERS)</b>	
Postal Address - PO Box 494 HERVEY BAY QLD 4655		
ABN - 87 606 482 834 Ph. No. - 07 4128 1655 Fax No. - 07 41282810 E-Mail - jock@handihire.com.au		
<b>HANCOCK TRUCK HIRE</b>	Water Trucks (3 available) No make or Model Specified (Water Tanks Capacities 1@13000L-2@10000L)	1
50 Anderson Road NANANGO QLD 4615		
Postal Address - PO BOX 699 NANANGO QLD 4615		
ABN - 30 754 516 698 Ph. No. - 07 41637101 Fax No. - 07 4137101	Gravel Truck (2 available) No Make or Model Specified	1
	Tractor Slasher (2 available ) 100hp, 7' slasher No make or Model Specified	1

	Water Trucks (3 available) No make or Model Specified (Water Tanks Capacities 1@13000L-2@10000L)	2-3-4-5-6
	Gravel Truck (2 available) No Make or Model Specified	2-3-4-5-6
	Tractor Slasher (2 available ) 100hp, 7' slasher No make or Model Specified	2-3-4-5-6
		7
<b>LEISTER ALLAN JANETZKI</b>		
Postal Address - 7 Rae Street KINGAROY QLD 4610 ABN - 83 299 508 584 Pk. No. 41636964	2008 Model John Deere 4wd Tractor 100hp & 2008 Howard 7' Heavy Duty Galvanised Slasher	
Mobile - 0427636964	2007 Model Dixon "Great Dane" Zero Turn Commercial Mower 61" cut 27hp	7
Fax No. - 0741636905		
E-Mail - pro-tec3@bigpond.com		
	30 Ton Excavator - Make and Model not specified	7
<b>K &amp; D PLANT HIRE PTY.LTD.</b>		
Postal Address - 9 Avocado Crescent KINGAROY QLD 4610 ABN - 77 120 253 483 Mobile - 0428717133	20 Ton Excavator - Make and Model not specified	7
Fax No. - 41636144	6 Ton Excavator - Make and Model not specified	7
E-Mail - dianedriver@hotmail.net.au		
	670 CH John Deere Grader	7
	95 hp Tracked Bobcat	7
	Wheel Loader - 3m3 Bucket - Make and Model not specified	7
	12 Ton Flat Drum Roller - Make and Model not specified	7
	12 Ton Pad Foot Roller - Make and Model not specified	7
	Water Truck 14000 ltr - Make and Model not specified	7
	Water Truck 7000 ltr - Make and Model not specified	7
	Low Loader 30 Ton - Make and Model not specified	7
	B/Double Side Tippers 22m - Make and Model not specified	7
	Semi Side Tipper 18m - Make and Model not specified	7
	10m3 Tipper & Superdog G Tipper	7

	10m3 Tipper - Make and Model not specified	7
	30 Ton Excavator - Make and Model not specified <b>DRY HIRE</b>	7
	20 Ton Excavator - Make and Model not specified - <b>DRY HIRE</b>	7
	6 Ton Excavator - Make and Model not specified - <b>DRY HIRE</b>	7
	670 CH John Deere Grader - <b>DRY HIRE</b>	7
	95 hp Tracked Bobcat - <b>DRY HIRE</b>	7
	Wheel Loader - 3m3 Bucket - Make and Model not specified - <b>DRY HIRE</b>	7
	12 Ton Flat Drum Roller - Make and Model not specified- <b>DRY HIRE</b>	7
	12 Ton Pad Foot Roller - Make and Model not specified - <b>DRY HIRE</b>	7
	Water Truck 14000 ltr - Make and Model not specified - <b>DRY HIRE</b>	7
	Water Truck 7000 ltr - Make and Model not specified - <b>DRY HIRE</b>	7
	Low Loader 30 Ton - Make and Model not specified - <b>DRY HIRE</b>	7
	B/Double Side Tippers 22m - Make and Model not specified - <b>DRY HIRE</b>	7
	Semi Side Tipper 18m - Make and Model not specified - <b>DRY HIRE</b>	7
	10m3 Tipper & Superdog G Tipper - <b>DRY HIRE</b>	7
	10m3 Tipper - Make and Model not specified- <b>DRY HIRE</b>	7
	<b>Plant Operators also available for all machines and trucks .All operators have their appropriate tickets</b>	7
<b>NESRAL PTY.LTD.</b>	Komatsu D65 ES Dozer	7
Postal Address - PO Box 218 KINGAROY QLD 4610		
ABN - 75 541 816 560		
Ph. No. - 41623687		
Mobile - 0417615603	<b>DRY HIRE</b> - Komatsu D65 ES Dozer	7
Fax No. - 41628260	<b>Please Note: Dry Price includes all work days while in machine in Council's possession</b>	
E-Mail -		
<b>PETER &amp; ANN MANGAN</b>	Mitsubishi FV458K Tipper 10m3	7
70 Wickham St. NANANGO QLD 4615		
ABN - 81024 961 186		

Ph. No. - 07 41631778		
Fax No. - 0741710074		
E-Mail - petermangan8@bigpond.com		
<b>STEPHEN JOHN &amp; SHARON JOHN MANGAN</b>	<b>Water Tanker - 2010 Mercedes 1833 Axor Single Drive Truck, currently being fitted with a 9000L fibreglass chassis mounted tank, Pumping Gear - 2 Honda pumps capable of delivering 2500l p/m. Spray Gear will consist of 3 fan sprays &amp; 2 batter sprays. Spray Bar is a split bar to achieve half or full ground coverage with 1 mtr. extension if required. Reversing camera will also be operating.</b>	1-5
6 Club Court NANANGO QLD 4615		
ABN - 12 531 092 773		
Ph. No. - 07 41631683		
E-Mail - stevemangan@bigpond.com.au		
	12 G Grader	7
<b>KN &amp; AL MANSELL EARTHMOVING</b>		
Postal Address - 157 Wingara Drive MORAYFIELD QLD 4506		
ABN - 26 272 550 605	D6R Dozer	7
Ph. No. - 0754970224		
Fax No. - 0754970354		
E-Mail - kevin-manse@hotmail.com		
<b>DAVID PHILBEY</b>		
Postal Address - 447 Cherry Creek Road BLACKBUTT QLD 4306		
ABN - 26 401 015 681		
Ph. No. - 41630768	Cat D6R Dozer	7
Mobile - 0429630769		
Fax No. - 07 41630768		
E-Mail - david.philbey@gmail.com		
<b>AL &amp; SB PRIDDLE</b>	Komatsu WA 180 Wheel Loader with attachments including raketrailer, 14' stick rake, general purpose bucket, 4in 1 bucket, 3tine rippers, work vehicle and portable fuel tank	7
Postal Address-"The Gorge" MS599 JONDOWAE QLD 4410		
ABN - 71 475 289 271		
Ph. No. - 074686805		
Mobile - 0408762598		
Fax No. - 0746686805		
<b>L.R.D.T. TIPPERS</b>		
POSTAL ADDRESS - 39 Cassidy Street - BELL QLD 4408	Rigid Tipper Truck & 3 Axle Dog Trailer	7
ABN - 19 464 459 898		
Ph. No. - 07 46631064		
Fax No. - 07 46631054		

E-Mail - robyn.smith20@bigpond.com		
<b>BARRY PIDGEON &amp; SON TIPPER HIRE</b>		
14101 Bunya Highway WONDAO QLD 4606	Tandem Water Truck - Make and Model not Specified	2-3-4-6
Postal Address - PO BOX 1 WONDAI QLD 4606		
ABN - 46 523 166 110		
Ph. No - 07 41685145	Tandem Tippers- Make and Model not Specified	2-3-4-6
Mobile No. - 0429133869		
	Body and Dog- Make and Model not Specified	2-3-4-6
	Body and Super Dog- Make and Model not Specified	2-3-4-6
	Body and Quad Dog- Make and Model not Specified	2-3-4-6
	Ttri Axle Float Hire- Make and Model not Specified	7
<b>ROAD TEK PLANT HIRE SERVICES</b>		
Postal Address - Locked Bag Greenwattle Street TOOWOOMBA QLD 4350	<b>DRY HIRE ONLY PLEASE REFER TO BOOK FOR SCHEDULE OF RATES ( PROVIDED TO OVERSEERS)</b>	
ABN - 39 407 690 291		
Ph. No. - 07 41342526		
Fax No. - 07 41312542		
E-Mail - Phillip.m.betts@tmr.qld.gov.au		
<b>DICK ROBINSON PLANT HIRE</b>	8 Ton Excavator	7
Postal Address - 175 McAuliffe Road KINGAROY QLD 4610		
ABN - 20 935725458		
Ph. No. - 07 41624354	3.6 Ton Skid Steer Loader (Bobcat)	7
Fax No. - 41624354		
E-Mail - jenny@skymesh.com.au		
	2.5Ton Vibrating Roller	7
	Tandem Tip Truck	7
	Combo-Excavator/Truck/Shid Steer Loader- Any one machine-Attachments	7
	- Trencher/Post Hole/Borer/Compactor Wheel	
	<b>DRY HIRE - 2.5 Ton Vibrating Roller</b>	7

<b>ROLLERS QUEENSLAND</b>	<b>DRY HIRE ONLY PLEASE REFER TO BOOK FOR SCHEDULE OF RATES ( PROVIDED TO OVERSEERS)</b>	
152 Raglan Street ROMA QLD 4455		
Postal Address - PO BOX 1255 ROMA QLD 4455		
ABN - 50 087 309 091		
CAN - 087 309 091		
Ph. No. - 07 46223222		
Mobile No. (Frank Carli) 0488406407		
Fax No. - 07 46223222		
E-Mail - frank@rollersqueensland.com.au		
<b>EL &amp; KW SEILER</b>	Tractor 100hp & Heavy Duty 6' Slasher	7
Postal Address - 299 Cants Road WOOROOLIN QLD 4608	<b>Please Note:</b> In the past we have been charging per block \$66.00 per standard house block and \$136.00 for acreage (e.g. Butter Drive Proston) These prices have include travel. We are happy to continue to provide service with this pricing format. Because of good rain and vegetation growth our block price was increased to \$154.00 this past year.	
ABN - 94 948 503 389		
Ph. No. - 07 41685884		
Mobile - 0428685884		
Fax No. -07 41690884		
E-Mail - sevensailers@bordernet.com.au		
	25 Ton 145hp Excavator with general purpose bucket, tilt bucket, trenching bucket and ripper tyne	7
<b>SEILERS EARTHMOVING</b>		
597 Cushnie Road WONDAI QLD 4606	Hitachi DX 195L Dozer 180 HP c/w- tree spear, rippers, ROPS & FOPS enclosed cab, 6 mtr stickrake	7
ABN - 71 152 943 307		
Ph. No. - 07-41685949		
Fax No. - 07-41690242		
E-Mail - seileremove@gmail.com	Fiat Allis FG95 170HP Grader C/W- 14ft blade, rippers, ROPS cab	7
	Steiger Cougar 320hp 4wd Tractor & Laser Scoop, scoop has approx.10m3 capacity, rippers, cross leveler and installed with laser equipment	1-2-3-4-6
<b>WAYNE &amp; RHONDA SEMPF</b>	2001 Case Backhoe Model 580SLE	7
32 Bottlebrush Street KINGAROY QLD 4610		
ABN - 13 578 103 990		
Ph. No. - 07 41 621049	1992 Western Star 8M3 Bogie Drive Tipper	2

Mobile -0418718152		
Fax No. - 07 41627605		
E-Mail - waynesempf@bigpond.com		2
E-Mail - rhondasempf@bigpond.com	1992 Western Star 8M3 Bogie Drive Tipper & 10m3 2002 Maico Dog Trailer 20 Ton Tag Low Loader	7
<b>SHERRIN RENTALS PTY.LTD.</b>	<b>DRY HIRE ONLY PLEASE REFER TO BOOK FOR SCHEDULE OF RATES (</b>	
87 Bancroft Road PINKENBA QLD 4008	<b>PROVIDED TO OVERSEERS)</b>	
ABN - 52 074 173 756		
Ph. No. - 132138		
Fax No. - 07 365354535		
E-Mail - bne@sherrinrentals.com.au		
<b>SOUTH BURNETT HIRE AND SALES</b>	<b>DRY HIRE ONLY PLEASE REFER TO BOOK FOR SCHEDULE OF RATES (</b>	
5 First Avenue KINGAROY QLD 4610	<b>PROVIDED TO OVERSEERS)</b>	
Postal Address - PO Box 1162 KINGAROY QLD 4610		
ABN - 49 119 513 423		
ACN - 119 513 423		
Ph. No. - Ph No. - 07 41621070		
Fax No. - 07 41628180		
E-Mail - admin@sbhireandsales.com.au		
<b>T&amp;T SEPTIC CLEANING &amp; PURPLE PORTA POTTY'S</b>	Portable Toilet Hire	7
4 Matthews Street KINGAROY QLD 4610		
Postal Address - PO Box 136 KINGAROY QLD 4610		
ABN - 57 719 816 960	Service Toilet (OURS)	1-2-3-4
ACN - 142 218 068		
Ph No. -07 41627899		
Mobiles - 0427310480/0437337447	Service Toilet (OURS)	5-----6
E-Mail - avrossi@bigpond.net.au		
	Service Toilet (OTHERS)	1
	Service Toilet (OTHERS)	2
	Service Toilet (OTHERS)	3
	Service Toilet (OTHERS)	4
	Service Toilet (OTHERS)	5
	Service Toilet (OTHERS)	6

<b>VEGETATION MANAGEMENT</b>	<b>WET AND DRY HIRE PLEASE REFER TO BOOK FOR SCHEDULE OF RATES ( PROVIDED TO OVERSEERS)</b>	
601 Williams Road BEAARKIN QLD 4306		
Postal Address - PO Box 16 Benarkin QLD 4306		
ABN - 83 377 291 351		
ACN - 104 766 190		
Mobile - 0417739754		
Fax No. - 07 41700564		
E-Mail - vmg@icr.com.au / rxleier.com.au		
<b>WEIER'S MULCHING</b>	Massey Ferguson 5465 Tractor- with Birdie Mulcher 2.5m cut Handles regrowth up to 70mm in diameter - Cuts Grass	7
362 Mondure Road MONDURE QLD 4611		
ABN - 80 694 957 067		
Ph. No. - 07 41689989	Massey Ferguson 5465 Tractor with FAE Mulcher 2m cut. Handles regrowth up to 250mm in diameter - Cuts grass	7
Mobile - 0427063958		
Fax No. - 07 41689989		
E-Mail - irweier@bigpond.com		
<b>John Edward Wells</b>	10m3 Bogey Tipper - Make and Model not Specified	7
242 Hamiltons Road NANANGO QLD 4615		
ABN - 15 769 956 128		
Ph. No. - 07 41632786	Tractor/Slasher - Make and Model not Specified	7
Mobile - 0407165535		
Fax No. - 07 41632787		
	Out Front Mower - Make and Model not Specified	7
	Backhoe "LARGE" Make and Model not Specified	7
<b>WIEDEN DEVELOPMENTS PTY.LTD.</b>	Backhoes - 1998 Cat 428C & 2006 Cat 432D	2
Lot 1 Tessmans Road KINGAROY QLD 4610		
Postal Address - PO Box 339 KINGAROY QLD 4610		
ABN - 42 065 296 559	1998 John Deere Grader	2
ACN - 065 296 559		
Ph. No. - 07 41622888		
Mobile - 0427622542	Truck - Make and Model not Specified	2
E-Mail - graham @wiedendevelopments.com.au		

	Truck and Dog - Make and Model not Specified	2
	Truck and Quad Dog- Make and Model not Specified	2
	Water Tanker - Truck and Tank not Specified	2
	Water Tanker with Quad Dog Tank - Make and Model not Specified	2
	Bomag Roller 15 Tonne	2
	Komatsu Dozer D65E	2
	Mini Excavator 5 Tonne - Make and Model not Specified	2
	Excavator 8 Tonne - Make and Model not Specified	2
	Excavator 13 Tonne - Make and Model not Specified	2
	Excavator 35 Tonne - Make and Model not Specified	2
	Loader 10 Tonne - Make and Model not Specified	2
	Skid Steer Loaders - John Deere & New Holland	2
<b>YESBERG EARTHMOVING PTY.LTD.</b>	Grader 140H Make not specified	7
346 Greenview Road WONDAI QLD 4606		
ABN - 32 121 023 532	Dozer D6R - Make not specified	7
Ph. No. - 07-41690220		
Fax No. - 07-41690220	Dozer D6H - Make not specified	7
E-Mail - ross.yesberg@hotmail.com		
	Dozer D7H - Make not specified	7
	Scraper 623B - Make not specified	7
	Scraper 110115B - Make not specified	7
	Laser Bucket	7
	Tractor and 12000l Water Tank- Make and Model not Specified	7
<b>BRYAN ZELINSKI ENGINEERING PTY.LTD.</b>	15 Tonne Frana Crane	7
20 Gayndah Road MURGON QLD 4605		
Postal Address - PO Box 383 MURGON QLD 4605		
ABN - 110 728 836 462	12 Tonne Frana Crane	7
ACN- 072 883 642		
Ph. No. - 07 41 682245		
Fax No. - 07 41 682247	8 mtr All Terrain Scissor Lift	7

E-Mail - bze@bigpond.com.au		
	6 mtr Scissor Lift (Internal)	7
	Flat Top Truck & Crane Truck	7
	250cfm Mobile Diesel Compressor	7
<b>Robert Zelinski Excavator Hire</b>	20 Tonne Excavator - Make and model not Specified - with attachments and rock breaker	7
78 Gesslers Road MURGON QLD 4605		
Postal Address - PO BOX 421 MURGON QLD 4605		
ABN - 85 796 346 647		
Ph. No. - 07 41682566	Grader - Make and Model not Specified	7
Fax No. - 07 41682566		
E-Mail - rzeh@bigpond.com		
	171/2 Tonne Roller - Make and Model not Specified	7
	6.50 Tonne Mini Excavator - Make and Model not Specified with attachments	7
	Skid Steer Loader - Make and Model not Specified with attachments	7
	Loader - Make and Model not Specified	7
	10m Tipper Truck - Make and Model not Specified	7
	Truck and Dog Trailer - Make and Model not Specified	7
	Low Loader - Make and Model not Specified	7
	Water Truck 13000L	7
	Dozer - Make and Model not Specified	7
	Scraper - Make and Model not Specified	7
	Tractor & Slasher 100hp - Make and Model not Specified	7
	<b>DRY HIRE:</b> 171/2 Tonne Roller - Make and Model not Specified	7
	<b>DRY HIRE:</b> 121/2 Tonne Roller - Make and Model not Specified	7

**Resolution:**

*Moved Cr DP Tessmann, seconded Cr CD Dalton.*

*That the Officer's Recommendation be adopted*

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

**13.2 GS - 911629 - Assessment of Tenders for the fluoridation of Blackbutt, Gordonbrook, Nanango, Murgon and Wondai Water Treatment Plants**

**Reason for Confidentiality**

This report is **CONFIDENTIAL** in accordance with Section 463(1)(e) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

- (e) contracts proposed to be made by it

**Recommendation**

That the tender from Monadelphous for the amount of \$1,601,766.50 including GST be accepted for the installation and commissioning of fluoride dosing facilities at Blackbutt, Gordonbrook, Nanango, Murgon and Wondai Water Treatment Plants. This price allows for the prefabricated buildings including the strip footings and perimeter concrete footpath and connection to Council's current SCADA system.

**Resolution:**

*Moved Cr BL Green, seconded Cr KA Duff.*

*That the Officer's Recommendation be adopted*

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

There being no further business the meeting was declared closed at 2.18pm.

Confirmed before me this ..... day of .....2010

..... **MAYOR**

