

Minutes of the meeting of the Kingaroy Shire Council, held in the Council Chambers, Glendon Street, Kingaroy on Friday 23 August 2002 at 9.03 am.

**PRESENT** Cr KR Nunn (Mayor), Crs WD Moss, MG Shaw, GMG Wilson, CD Dalton, BJ Carroll, LJ Trout, AD Wieden, MA Lehmann and KM Campbell

**LEAVE OF ABSENCE** Cr TW Fleischfresser

**PRAYERS AND CONDOLENCES** A motion of sympathy was passed to the relatives of the late PC McCauley, WA Coyne, WH Andrea, LM Ritter, DG Macdonald, C McFarlain, TP Burns

**MAYOR'S MINUTES**

**Mayors Report** Moved Cr Moss seconded Cr Shaw that the Mayor's Report be received.  
(A1-A11)

Carried

Bevin Askew Moved Cr Trout seconded Cr Shaw that Council offer to negotiate a without prejudice settlement, with Council offering to pay the survey costs in return for Mr Askew dedicating to Council a 10 metre strip of land for future road widening

Carried

National Servicemen Memorial Moved Cr Campbell seconded Cr Lehmann that Council approve, in principle, the establishment of a memorial to the National Servicemen in the Memorial Park

Carried

Sustainable Region Programme Moved Cr Dalton seconded Cr Campbell that Council make a submission under the Sustainable Regions Programme in relation to water supply issues for the Kingaroy Shire

Carried

**CONFIRMATION OF MINUTES**

Moved Cr Shaw seconded Cr Lehmann that the minutes of the previous meeting held on 23 July 2002 and the special meeting held on 1 August 2002 as recorded be confirmed.

Carried

**CONSIDERATION OF BUSINESS SECTIONS INCLUDING BUSINESS ARISING OUT OF MINUTES OF PREVIOUS MEETING**

SEE BUSINESS FUNCTION HEADINGS

## **Town Planning and Subdivision Section**

### **Business Arising Out of Minutes**

Minister for Local Government and Planning

Inviting applications from Council for funding under the Security Improvement Program and advising the closing date is 30 September 2002

The Manager of Planning Services submitted a written report recommending that additional lighting be installed at the Council Chambers and at Wooroolin Village Rest Area (B6-B9)

Moved Cr Trout seconded Cr Dalton that the report be adopted

Carried

Wayne Blow & Partners Pty Ltd

Forwarding an IDAS Development Application for Extensions to the Kingaroy RSL Club and Increased Car Parking at Lots 7-8 & 11-16 RP 7917 & Lot 9 FY573 - Applicant: Rubicon Constructions Pty Ltd.

### **Correspondence**

Kingaroy RSL Womens Auxiliary

Forwarding an objection to the development permit for a material change of use for proposed extensions to RSL Club premises at Kingaroy Street Kingaroy - Lots 7-8 & 11-16 RP 7917 & Lot 9 FY 573

The Manager of Planning Services submitted a written report recommending that Council issue a Development Permit subject to conditions (B18-B24)

Moved Cr Trout seconded Cr Moss that the report be adopted

Carried

### **Business Arising Out of Minutes (Cont)**

Mr Kevin J Owens

Forwarding an IDAS Application for a Relative's Apartment to be erected on Lot 1 RP175421 - 19 Boonenne Ellesmere Road Kingaroy - Owner: Coralie V Dolinay

### **Correspondence (Cont)**

Kevin J Owens

Forwarding further information to the IDAS Development Application for Lot 1 RP 175421, 19 Boonenne Ellesmere Road, Kingaroy

Coralie Dolinay Forwarding further information for the IDAS Development Application by Kevin J Owens for Lot 1 RP 175421, 19 Boonenne Ellesmere Road

The Manager of Planning Services submitted a written report recommending that Council refuse to approve the application, and provide the reason (B1-B5)

Moved Cr Trout seconded Cr Shaw that the report be adopted and the applicants be invited to discuss alternative arrangements with the Manager of Planning Services and the Assistant Building Surveyor

Carried

**Correspondence  
(Cont)**

Mr John & Mrs Karyn Bjelke-Petersen Forwarding an IDAS Application for Self-Contained Cottages at Lot 3 RP146679 - 218 Peterson Drive Kingaroy - owner: Cresthall Pty Ltd

The Manager of Planning Services submitted a written report recommending that Council issue a Development Permit subject to conditions (B12-B17)

Moved Cr Trout seconded Cr Moss that the report be adopted

Carried

Mr Alan Butcher & Mr Ian Shakespeare Forwarding an IDAS Application for the Re-Use of an Existing Piggery at Lot 2 RP164392 - 207 Radunzs Road Kingaroy

Moved Cr Trout seconded Cr Dalton that consideration of the matter be deferred until the required procedures are completed

Carried

State Development Forwarding the Alternative Unloading Location Report and requesting advices from Council concerning the proposed Surat Basin to Tarong Rail Project.

Moved Cr Trout seconded Cr Shaw that the letter be received

Carried

- Ms Shannon Price                      Requesting a Negotiated Decision Notice for the application for Indoor Entertainment (Dance Classes) at 19 Avoca Street Kingaroy - Lot 3 RP 57506
- The Manager of Planning Services submitted a written report recommending that Council agree to issue a Negotiated Decision Notice and that the standard of construction for Glendon Street be further discussed by Council (B10-B11)
- Moved Cr Trout seconded Cr Shaw that consideration of the matter be deferred pending discussions with the applicant
- Carried
- Department of Main Roads                      Forwarding information concerning matters raised and addressed as a result of consultation regarding the Roadside Vending Policy for State-controlled Roads
- Moved Cr Trout seconded Cr Dalton that the letter be received and Council indicate that it does not wish to administer the Policy on behalf of the Department of Main Roads
- Carried
- Local Government Association of Queensland Inc                      Requesting comments by Friday 6 September 2002 on the Issues Paper - The Secondary Use of Land Held As A Reserve For Community Purposes Under The Land Act 1994
- Moved Cr Trout seconded Cr Moss that the letter be received
- Carried
- James M Czulowski                      Forwarding an objection to the continued operation of the quarry at 121 McAuliffes Road Kingaroy
- Moved Cr Moss seconded Cr Wieden that the letter be received
- Carried
- ADJOURNMENT**                      Moved Cr Trout that the meeting adjourn for ten (10) minutes
- Carried
- CITIZENSHIP CEREMONY**                      During the adjournment a Citizenship Ceremony was held for:
- Debra Birkbeck**
- RESUMPTION**                      The meeting resumed at 10.44 am with attendance as previous to the adjournment

## **Town Planning & Subdivision Section (Cont)**

### **General Business**

Breach of Notice of  
Consent – T & J Bignall

The Manager of Planning Services submitted a written report recommending that subject to no further submission being made within the submission period, Council issue an Enforcement Notice (B25-B28)

Moved Cr Trout seconded Cr Shaw that the report be adopted subject to deletion of the words “*(Nb this does not apply to the dogs normally kept as pets in and around the dwelling house)*”

Carried

## **Finance Section**

### **Correspondence**

Swickers Kingaroy Bacon  
Factory

Forwarding an offer of \$7665.00 for water useage for the period 10 September 2001 to 19 April 2002 based on an average consumption for previous periods at Swickers Bacon Factory

Moved Cr Campbell seconded Cr Shaw that the Mayor and Chief Executive Officer be authorised to negotiate the final account with the writers

Carried

Minister for Local  
Government and  
Planning

Advising the Grants Commission has recommended distribution of the Financial Assistance Grant of \$1640223 for 2002-03 compared to the grant of \$1518112 received in 2001-2002

Department of Local  
Government & Planning

Forwarding a copy of a letter sent to the Minister for Local Government and Planning regarding the 2002-03 Financial Assistance Grant

Minister for Regional  
Services Territories &  
Local Government

Forwarding details of the current situation regarding the payment of Council's assessed entitlement of Commonwealth Government Financial Assistance Grants funding

Minister for Local  
Government and  
Planning

Forwarding a copy of a letter addressed to the Minister for Regional Services Territories and Local Government concerning the 2002-03 Financial Assistance Grant

Moved Cr Campbell seconded Cr Lehmann that the letters be received and Council confirm its position that no Council should receive less than it received last year and that any change in methodology should be phased in over a reasonable period

Carried

Parliamentary Joint Committee on Corporations and Financial Services	Inviting Council to make a written submission to the Inquiry into the level of banking and financial services in rural, regional and remote areas of Australia	Moved Cr Lehmann seconded Cr Campbell that the letter be received	Carried
Local Government Association of Queensland Inc	Forwarding a copy of the LGAQ's Initial Submission to the Cost Shifting Inquiry	Moved Cr Lehmann seconded Cr Campbell that the letter be received	Carried
Legacy Co-Ordinating Council Incorporated	Requesting Council support the efforts of the participants in the "Battle of Kokoda Trek" to be held in November 2002	Moved Cr Lehmann seconded Cr Campbell that the letter be received	Carried
Queensland Shelter Inc	Seeking sponsorship from Council for the Queensland Shelter Biennial Conference on Rural and Regional Housing to be held in November 2002	Moved Cr Lehmann seconded Cr Campbell that the letter be received	Carried
<b>Monthly Financial Statements</b>	Moved Cr Campbell seconded Cr Lehmann that the Financial Statements for the period ended 31 July 2002 be received & adopted (C30-C35)		
<b>General Business</b>			
Managers Report – Library Services	The Manager of Library Services submitted a written report (C1)		Carried
	Moved Cr Lehmann seconded Cr Shaw that the report be received, missing items be written off and donors of books be thanked		Carried
Economic Development Advisory Body Report	The Economic Development Advisory Body reported in accordance with the minutes of the meeting held on the 20 August 2002 (C2-C29)		Carried
	Moved Cr Campbell seconded Cr Lehmann that the Economic Development Advisory Body Report be received and adopted		Carried

## **Works Section**

### **Business Arising Out of Minutes**

Location of Service Club Sheds      Moved Cr Trout seconded Cr Shaw that a meeting be arranged with the Representatives of Service Clubs and the Enterprise Centre

Carried

### **Correspondence**

Kingaroy Chamber of Commerce and Industry Inc      Forwarding points of concern regarding the damage to O'Neill Square caused by skateboarding and bikes being ridden in the Square

Moved Cr Dalton seconded Cr Shaw that Council implement action to:

- (a) Have the following areas declared as notified areas (to allow Police Officers to give “move-on” directions) under the Police Powers and Responsibility Act:
  - O'Neill Square Precinct – including Car Park;
  - Town Hall Precinct – including Car Park; and
  
- (b) Introduce a local law for the control of the operation of Bicycles, Wheeled Recreation Devices, etc on Footpaths and the following areas to be specifically included:
  - Kingaroy Street (Haly Street / Markwell Street);
  - Haly Street (Kingaroy Street / Glendon Street);
  - Alford Street (Kingaroy Street / Youngman Street);
  - O'Neill Square Precinct – including Car Park;
  - Town Hall Precinct – including Car Park.

### **AMENDMENT**

Moved Cr Lehmann seconded Cr Campbell that Council implement action to:

- (a) Have the following areas declared as notified areas (to allow Police Officers to give “move-on” directions) under the Police Powers and Responsibility Act:
  - O'Neill Square Precinct – including Car Park
  - Town Hall Precinct – including Car Park
  - Kingaroy Street (Haly Street / Markwell Street)
  - Precinct of RSL; and

- (b) Introduce a local law for the control of the operation of Bicycles, Wheeled Recreation Devices, etc on Footpaths and the following areas to be specifically included –
- Kingaroy Street (Haly Street / Markwell Street)
  - Haly Street (Kingaroy Street / Youngman Street)
  - Alford Street (Kingaroy Street / Youngman Street)
  - O’Neill Square Precinct – including Car Park;
  - Town Hall Precinct – including Car Park.

Lost

The motion on being put was declared carried

Department of Natural Resources & Mines

Requesting Council's views regarding an application received from Brett Fleischfresser for a Permit to Occupy for access purposes through Lot 208 FY 2188

Moved Cr Wieden seconded Cr Trout that Council offer no objection to the application

Carried

Local Government Association of Queensland Inc

Forwarding details regarding the Inquiry into Commercial Regional Aviation Services in Australia and Transport Links to Major Populated Islands

Moved Cr Trout seconded Cr Wieden that the matter be referred to Cr Wieden and the Director of Engineering Services for response

Carried

Burnett War Memorial Museum Assoc Inc

Requesting permission to use the Airport Terminal as an office and reception on 26 October 2002 and Council consider hosting a small reception for the RAAF Team the "Roulettes" at the Terminal building on the day

Moved Cr Wieden seconded Cr Dalton that approval be given for use of the Airport for the Air Show subject to the usual conditions and Council agree to the use of the terminal building and to host a small reception

Carried

Kingaroy & Districts Branch SGAP Qld Region Inc

Extending their appreciation to Kingaroy Shire Council for the joint project sign recently erected at Carroll Nature Area and advising of the positive feedback received from visitors to the area

Moved Cr Wieden seconded Cr Trout that the letter be received

Carried

South Burnett Medical Centre - Dr B & Dr J Fulcher      Requesting Council consider installing a piped access to their property at Lot 108 Bella Vista Avenue Kingaroy Heights

Moved Cr Wieden seconded Cr Lehmann that Council not accede to the request and the reasons be explained

Carried

### **General Business**

Directors Report – Engineering Services      The Director of Engineering Services submitted a written report (D1-D9)

Moved Cr Wieden seconded Cr Shaw that the report be received

Carried

Strandquist Bridge      Moved Cr Carroll seconded Cr Dalton that Council seek approval from the Department of Main Roads to erect a plaque giving the history of the naming of the “Strandquist Bridge”

Carried

Plans for Approval      Moved Cr Wieden seconded Cr Trout that the following Plans and Estimates be approved – (D10)

#### **Plan No Description**

#### **Estimate**

2148	Somerset Street - 150 mm gravel overlay and stabilise 200 mm with 3% cement. Two (2) coat bitumen reseal. (Access to youth park to be undertaken at the same time Estimate \$7,500)	\$122,962
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Moonya Street - Doonkuna Street to Haly Street. Supply 30 mm of makeup gravel and stabilize 200 mm with 3.5% cement. Two (2) coat bitumen reseal.	\$26,236
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Carried

Peanut Festival / Duathlon – Road Closures      Moved Cr Wieden seconded Cr Campbell that Council approve the temporary closure of the following streets on Saturday 7 September 2002 for the purposes of a Peanut Festival and Duathlon:

*6:00 am to 6:00 pm*

Haly Street between Kingaroy Street and Albert Street  
King Street between Haly Street and Andersons Produce

*10:00 am to 4:00 pm*

Kingaroy Street between Haly Street and Baron Street  
Kingaroy Barkers Creek Road (Haly Street) between Kingaroy Street and Shellbachs Road

Carried

Reedy Creek Road /  
Deep Creek Road  
Intersection

The Deputy Director of Engineering Services reported on the Reedy Creek Road / Deep Creek Road Intersection

Moved Cr Wieden seconded Cr Moss that minor clearing of low scrub on the south eastern and north eastern corners of the intersection be undertaken and that stop signs be placed on the Deep Creek Road approaches to the Reedy Creek Intersection. This signage will then be consistent with the two intersections on Reedy Creek Road further to the west.

Carried

## **Water and Sewerage Section**

### **General Business**

Directors Report – Water  
and Sewerage

The Director of Engineering Services submitted a written report (E1-E4)

Moved Cr Dalton seconded Cr Trout that the report be received

Carried

Plans for Approval

Moved Cr Dalton seconded Cr Wieden that the following Plan and Estimate be approved:

(E5)

<b>Plan No</b>	<b>Description</b>	<b>Estimate</b>
7500	Toomey Street (William Street to School)	\$13,339

Carried

## **Health and Building Section**

### **Correspondence**

T & T Coughlin

Requesting Council consider a refund of dog registration fees paid on 26 July 2002 for his dog that had to be destroyed on 27 July 2002

Moved Cr Trout seconded Cr Wieden that Council accede to the request

Carried

Marigold Robinson RN

Requesting Council allow the RSPCA in Kingaroy to house 'Joh' the impounded entire male Staffordshire Cross dog belonging to Mr Peter May until the Court hearing is held to determine the Case

Moved Cr Wieden seconded Cr Trout that Council not accede to the request

Carried

Glen & Patricia Iredale - Grand Hotel Wooroolin Requesting permission to register a third dog purchased and maintained as a Guard Dog for security purposes of the Grand Hotel at Wooroolin

Moved Cr Dalton seconded Cr Trout that Council agree to the request subject to the usual conditions

Carried

King & Company Forwarding a Legal Opinion concerning the issue of allowing Assistance Animals into food premises

Moved Cr Shaw seconded Cr Wieden that Council act in accordance with the advice supplied by King & Company

Carried

Queensland Health Forwarding a copy of the "Review of the Food Act 1981 Discussion Paper" for comment by Friday 18 October 2002.

Moved Cr Trout seconded Cr Shaw that the matter be referred to Cr Fleischfresser and the Acting Director of Health & Building to prepare a response

Carried

**General Business**

Combined Acting Directors Report & Manager Health Services Report The Acting Director of Health & Building submitted a written report (F1-F5)  
Moved Cr Trout seconded Cr Shaw that the report be adopted

Carried

Taabinga Cemetery Moved Cr Trout seconded Cr Shaw that Council prepare plans and estimates for the opening of a new section of the Taabinga lawn cemetery

Carried

Sharps Disposal in Kingaroy Moved Cr Wilson seconded Cr Trout that Council provide sharps disposal facilities in public toilets

Carried

Animal Housing Centre Report The Technical Officer – Health submitted a written report on issues of concern with regard to the Animal Housing Centre (F6)

Moved Cr Trout seconded Cr Dalton that designs and estimates be prepared for provision of exercise yards

Carried

## **Rural Services Section**

### **Correspondence**

North Queensland Conservation Council Inc	Encouraging Council to make the residents in the Shire aware of the concerns regarding the release of Bollgard II genetically modified cotton in the Shire or an adjoining Shire
Office of the Gene Technology Regulator	Seeking comments by 9 September 2002 regarding the application DIR 012/2002 from Monsanto Australia Ltd to undertake dealings with Genetically Modified Cotton.
	Moved Cr Moss seconded Cr Dalton that unless it can be conclusively proven by an Independent Authority that there will be no harmful impact on the Community and the Environment then Council oppose the release of Genetically Modified Organisms

Carried

### **General Business**

Manager's Report – Rural Services	The Manager of Rural Services submitted a written report (G1)
	Moved Cr Moss seconded Cr Trout that the Managers Report – Rural Services be received and adopted
Municipal Saleyards Report	The Manager of Rural Services submitted a written report (G2)
	Moved Cr Moss seconded Cr Shaw that the Municipal Saleyards Report be received

Carried

Carried

## **General Section**

### **Correspondence**

Wide Bay Burnett Regional Organisation of Councils	Forwarding Minutes of the General and Annual General Meetings held on Friday 14 June 2002
	Moved Cr Wieden seconded Cr Campbell that the letter be received
Country Way Promotions Committee	Forwarding the Minutes of the Country Way Promotions Committee Meeting held in Kilkivan on Monday 15 July 2002
	Moved Cr Lehmann seconded Cr Wieden that the letter be received
Townsville City Council	Requesting Council reject the proposed changes to the LGAQ's Electoral Districts for Executive elections

Carried

Carried

- Burdekin Shire Council Requesting careful consideration of a proposed motion to be tabled at the LGAQ Conference in Maryborough regarding LGAQ Electoral District Arrangements
- Office of the Mayor, City of Townsville Requesting Council reject the proposed changes to the LGAQ's Electoral Districts for Executive elections
- Cairns City Council Requesting Council reject the proposed changes to the LGAQ's Electoral Districts for Executive elections
- Moved Cr Moss seconded Cr Shaw that the letters be received
- Carried
- Local Government Association of Queensland Inc Forwarding information concerning 'Young People And Local Government Workshop Series' for elected members
- Moved Cr Moss seconded Cr Lehmann that Cr Wilson be authorised to attend the Workshop
- Carried
- Minister for Industrial Relations Requesting Council make application for a holiday in the year 2003 by Friday 27 September 2002
- Moved Cr Campbell seconded Cr Lehmann that Council apply for the show holiday to be held on the Monday of the Brisbane Exhibition for 2003
- Carried
- Deputy Premier Treasurer and Minister for Sport Advising of approval for funding of \$5000 towards conducting a series of club and volunteer management workshops ending with a club development summit for clubs in Kingaroy under the Local Government Development Program 2002
- Moved Cr Wilson seconded Cr Lehmann that the letter be received
- Carried
- National Australia Day Council Inviting Council to nominate Australian citizens for the Australian of the Year Awards - nominations close 23 September 2002.
- Moved Cr Lehmann seconded Cr Trout that the letter be received
- Carried

**RECEPTION AND CONSIDERATION OF COMMITTEE AND DELEGATES' REPORTS**

- Fraser Coast / South Burnett Tourism Awards for Excellence Report Cr Lehmann submitted a written report on the Fraser Coast/South Burnett Tourism Awards for Excellence held at the Brolga Theatre in Maryborough on 3 August 2002 (H22-H24)
- Moved Cr Lehmann seconded Cr Wilson that the report be received
- Carried

Centenary of Kingaroy Committee Report      The Centenary of Kingaroy Committee reported in accordance with the minutes of the meeting held on the 20 August 2002 (H25)

Moved Cr Wieden seconded Cr Shaw that the report be received

Carried

**GENERAL BUSINESS**

Research of Council History      A final report was submitted on the Research of Council History carried out by Ron Knopke (H1-H21)

Moved Cr Campbell seconded Cr Lehmann that the report be received

Carried

October 2002 General Meeting – Burrandowan      Moved Cr Wieden seconded Cr Shaw that Council agree that the October 2002 General Council meeting be held at Burrandowan

Carried

Annual Leave – Chief Executive Officer      Moved Cr Trout seconded Cr Dalton that the Chief Executive Officer be authorised to take annual leave from 19 October 2002 to 10 November 2002 inclusive and the Director of Engineering Services, Mr John Kersnovski be appointed Acting Chief Executive Officer during that period

Carried

**Reception of Correspondence and Reports Listed for Information**      Moved Cr Wieden seconded Cr Campbell that General Correspondence and Reports Listed for Information (Folio I1 – I30) be received, that the Outward Correspondence be adopted and that Transfers Nos 28926 to 28997 (both inclusive) be received and recorded in Council’s Rate Books.

Carried

**Members General Business**

Agenda Format      Moved Cr Lehmann seconded Cr Shaw that the format for the Council’s Meeting Agenda be investigated

Carried

There being no further business, the meeting was declared closed.

Confirmed before me this ..... day of ..... 2002.

**MAYOR**