

Minutes of the meeting of the Kingaroy Shire Council, held in the Council Chambers, Glendon Street, Kingaroy on Tuesday 17 December 2002 at 9.00 am.

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

APOLOGIES Cr CD Dalton

Moved Cr Trout seconded Cr Fleischfresser that the apology be received

Carried

**PRAYERS AND
CONDOLENCES** A motion of sympathy was passed to the relatives of the late WT France,
AJ Ovens, IK Cutts, ML Knopke, MC Dowling, MJ Grainger, JG Peterson
and M Treherne.

A representative of the Ministers Fraternal offered prayers for the
bereaved, for Council and for the conduct of the Council meeting.

Attendance Cr Moss left the meeting

MAYOR'S MINUTES

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

Carried

Attendance Cr Moss returned to the meeting

Community Insurance Moved Cr Shaw seconded Cr Carroll that Council submit details of
problems being experienced with the State Government Public Liability
Insurance Scheme to Local Government Association (ie situations such
as the Christmas Carnival etc)

Carried

CONFIRMATION OF MINUTES

Moved Cr Lehmann seconded Cr Trout that the minutes of the previous
meeting held on Tuesday 26 November 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

Ryke Fuel Pty Ltd Forwarding a revised layout plan of the proposed Caravan Park at the Service Station at Kumbia

The Manager of Planning Services submitted a written report recommending that Council approve the application subject to conditions (B22-B29)

Moved Cr Trout seconded Cr Shaw that the report be adopted subject to addition of a condition requiring the insitu buried diesel tank to be removed from the site prior to the use commencing.

Carried

Mr Alan Butcher & Mr Ian Shakespeare Forwarding an IDAS Application for the Re-Use of an Existing Piggery at Lot 2 RP 164392 - 207 Radunzs Road Kingaroy

Guenter & Gisela E Deutsch Lodging an objection to the development application by AW Butcher & ID Shakespeare to establish a six (6) sow piggery at Lot 2 RP 164392 - 207 Radunzs Road

The Manager of Planning Services submitted a written report recommending that Council refuse to approve the application and provide reasons (B7-B20)

Moved Cr Trout seconded Cr Moss that the report be adopted

Carried

Local Government Association of Queensland Inc Requesting comments by 20 December 2002 regarding the Draft Cooperation Agreement Between Planning Institute of Australia (Queensland) and Local Government Association of Queensland

Moved Cr Trout seconded Cr Campbell that the letter be received

Carried

Correspondence

Kingaroy Junior Rugby League Football Club Forwarding an IDAS Application for a proposed Clubhouse to be erected on the Rugby League Oval – Lot 38 FY1737 - Applicant: Kingaroy Junior Rugby League Club - Owner: Kingaroy Shire Council

The Manager of Planning Services submitted a written report recommending that subject to completion of public notification and finalisation of referral agency response the Mayor be authorised to issue a Development Permit subject to conditions (B1-B5)

Moved Cr Trout seconded Cr Campbell that the report be adopted

Carried

DECLARATION OF INTEREST

The Mayor declared an interest in the following matters and left the meeting.

The Deputy Mayor assumed the chair.

O'Reilly Nunn Favier

Forwarding an IDAS Application for subdivision by Community Titles Scheme for construction of 7 units - Lot 1 RP 53604 - 277 Haly Street Kingaroy

The Manager of Planning Services submitted a written report recommending that Council issue a Development Permit subject to conditions (B32 – B35)

Moved Cr Trout seconded Cr Shaw that the report be adopted

Carried

O'Reilly Nunn Favier

Seeking a negotiated decision to modify the conditions of approval for the re-configuration of boundaries at Lot 1 RP153513, Lot 4 FY117 & Lot 158 RP890688 - Kevin Taylor

The Manager of Planning Services submitted a written report recommending that Council issue a negotiated decision notice subject to condition (B30)

Moved Cr Moss seconded Cr Trout that the report be adopted subject to the proposed condition being amended to the following:

OW2 Lot Access

The developer shall provide a dual, piped access from Malar Road to proposed Lots 1 & 4 in general accordance with Kingaroy Shire Council Plan No 10231 and to the satisfaction of the Chief Executive Officer. The minimum diameter of the pipe shall be 450mm.

Carried

ATTENDANCE

The Mayor returned to the meeting and resumed the chair.

DG & KM Roberts

Requesting Council extend the currency period of his subdivision approval until November 2004

Moved Cr Trout seconded Cr Shaw that the request be approved

Carried

Department of Tourism Sport & Racing

Requesting comments by 18 December 2002 regarding an application received by Mr Ian Wren of Feijoa Farm for an application for a Wine Licence at Lot 338 RP223100 - 12008 Bunya Highway Memerambi

Moved Cr Trout seconded Cr Moss that Council offer no objection to the issue of the license

Carried

- Minister for Local Government and Planning Forwarding information concerning the Integrated Planning Act (IPA) compliant planning scheme
- Moved Cr Trout seconded Cr Moss that Council apply for an extension of time to complete the new planning scheme
- Carried
- TR & PJ Kerle Requesting a relaxation of a separation distance to the front boundary under the Planning Scheme for extensions to their shed situated on Lot 3 Railway Terrace Kingaroy
- Moved Cr Trout seconded Cr Moss that Council offer no objection subject to provision of written evidence of non-objection from neighbouring property owners and subject to compliance with the Building Act
- Carried
- DECLARATION OF INTEREST**
- Cr Campbell and Cr Trout declared an interest in the following matter and left the meeting
- Bean Growers Australia Seeking an amendment to their approval for extensions to the BGA Merchandise premises located in Youngman Street Kingaroy
- The Manager of Planning Services submitted a written report recommending that, subject to written confirmation of Main Roads approval, Council issue an Amended Decision Notice subject to alterations to conditions (B21)
- Moved Cr Lehmann seconded Cr Fleischfresser that the report be adopted
- Carried
- ATTENDANCE**
- Cr Campbell and Cr Trout returned to the meeting
- Mr RB & Mrs DT Wiggins & Mr LJ Cahill, Holliday Motel Seeking a negotiated decision notice regarding the IDAS Application for the Reconfiguration of Boundaries - Lot 1 RP119686 - cnr Bunya Highway & Holliday Street (Motel) one lot into two lots - R & D Wiggins
- Moved Cr Trout seconded Cr Lehmann that Council approve the variation to allow for a 600 mm house pad and 600 mm stumps
- Carried
- General Business**
- Barrett – Enforcement Notice – Indoor Entertainment The Manager of Planning Services submitted a written report recommending that Council issue an Enforcement Notice requiring the proponent to continue actions pursuant to the current application, without undue delay, to permit the application to be decided (B6)
- Moved Cr Trout seconded Cr Wieden that the report be adopted
- Carried

IDAS Development
Application – Tim &
Lesley Kelly

IDAS Development Application – Indoor/outdoor Rider Training Events
& Accommodation

The Manager of Planning Services submitted a written report
recommending that Council issue a Development Permit subject to
conditions (B31)

Moved Cr Trout seconded Cr Shaw that the report be adopted

Carried

Finance Section

Correspondence

Local Government
Association of
Queensland Inc

Forwarding a copy of the Supplementary Submission made by the
Association to the Cost Shifting Inquiry

Moved Cr Lehmann seconded Cr Campbell that the letter be received

Carried

Queensland Audit Office

Forwarding a copy of the report to the Mayor regarding the Audit of
Financial Statements of the Kingaroy Shire Council for 2001-2002

Moved Cr Campbell seconded Cr Lehmann that the letter be received
and the responses made be endorsed

Carried

Department of Local
Government & Planning

Forwarding a disk containing forms for completion and return by
31 January 2003 for the 2003/2004 Five Year Projected Program of
Works.

Moved Cr Moss seconded Cr Campbell that the matter be deferred to the
January meeting

Carried

Hawthorn Cuppaidge
and Badgery

Forwarding a proposal for Council's consideration for the surrender of
Lot 44 RP890680 owned by R & R Dyer in lieu of the recovery of
outstanding rates

Moved Cr Lehmann seconded Cr Campbell that the letter be received
and Council delegate authority to the Mayor to negotiate the transfer of
the allotment

Carried

Monthly Financial Statements

Moved Cr Campbell seconded Cr Lehmann that the Financial
Statements for the period ended 30 November 2002 be received and
adopted (C2-C7)

Carried

General Business

Manager of Library Services Report The Manager of Library Services submitted a written report (C1)

Moved Cr Trout seconded Cr Campbell that the report be received and donors be thanked

Carried

Works Section

Correspondence

Department of Transport and Regional Services Requesting comments by 23 December 2002 regarding the investigation into aspects of the Aerodrome Local Ownership Plan

Moved Cr Wieden seconded Cr Trout that Council support the suggestion that Airport Owners not be required to seek consent from Department of Transport and Regional Services for alternate use of the aerodrome, but that Council would support a National Aviation Strategy to guide the future use of Airports

Carried

Department of Main Roads Forwarding a copy of the approved 2002-03 to 2006-07 Roads Implementation Program (RIP) for Queensland

Moved Cr Wieden seconded Cr Lehmann that the letter be received

Carried

General Business

Directors Report – Engineering Services The Director of Engineering Services submitted a written report (D1-D6)

Moved Cr Wieden seconded Cr Trout that the Directors Report – Engineering Services be received

Carried

Plans for Approval Moved Cr Moss seconded Cr Wieden that the following Plan and Estimate be approved: (D7)

Description	Estimate
Stuart Valley Drive (Bunya Highway to end)	\$79,800

Carried

Joint Shires Sport & Recreation Committee Meeting The Director of Engineering Services submitted a written report on the quarterly meeting of the Joint Nanango, Wondai and Kingaroy Shires Sport and Recreation Committee (D8-D14)

Moved Cr Wilson seconded Cr Shaw that the report be received

Carried

Building Certification – Information Requests Moved Cr Lehmann seconded Cr Shaw that a fee of \$15.00 be introduced for providing details of water and sewerage installations to properties for private Building Certification purposes

Carried

Ergon Energy The Director of Engineering Services reported on the valuable assistance given by Ergon Energy in the erection of Christmas Banners and lights and that as a Community Service they would no longer charge for the electricity for lights and decorations

Moved Cr Shaw seconded Cr Campbell that a letter of thanks be forwarded to Ergon Energy

Carried

Water and Sewerage Section

Correspondence

Deputy Leader of the Opposition Forwarding a reply from the Premier the Hon Peter Beattie MP regarding concerns about the possible implications of the ongoing drought upon local domestic water supplies

Moved Cr Shaw seconded Cr Wieden that the letter be received

Carried

Department of Natural Resources Advising Council's Total Management Plan is considered acceptable and current until 30 June 2005

Moved Cr Wieden seconded Cr Shaw that the letter be received

Carried

Department of Natural Resources Forwarding an update regarding the progress with the Draft Burnett Basin Resource Operations Plan (ROP) and enclosing documents for public inspection.

Moved Cr Trout seconded Cr Wieden that the letter be received and Council:

- Seek an extension of time for public submissions on the Draft Resource Operations Plan (ROP) until early March due to the lateness of receiving the documentation and the Christmas Holiday Period;
- Request a public information session be held in the South Burnett preferably in mid to late January 2003; and
- Refer the matter to Cr Dalton and the Director of Engineering Services to prepare a submission on the Draft Resource Operations Plan (ROP)

Carried

Australian Local Government Association Seeking Council's response to the document 'Living Murray' and the proposed options for improving environmental flows to the River Murray

Moved Cr Trout seconded Cr Lehmann that the letter be received

Carried

General Business

Director's Report – Water and Sewerage The Director of Engineering Services submitted a written report (E1-E3)

Moved Cr Moss seconded Cr Shaw that the Directors Report – Water and Sewerage be received

Carried

Health and Building Section

Business Arising Out of Minutes

Clarification of Clause in Standard Building Regulation - Section 37.b The Director of Health and Building submitted a written report on Clarification of Clause in Standard Building Regulation - Section 37.b

(F12-F15)

Moved Cr Shaw seconded Cr Trout that the report be received and applications continue to be referred to Council pending gazettal of the New Planning Scheme

Carried

Correspondence

Environmental Protection Agency Qld Parks & Wildlife Service - Forwarding the Memorandum of Understanding - Environmental Protection (Water) Policy 1997 for execution and return - current MOU expires 31 December 2002.

Moved Cr Moss seconded Cr Shaw that Council execute the Memorandum of Understanding

Carried

Mr Lachlan J & Mrs Sonia P Hornery Seeking permission to bury her father Gordon Buttsworth on their fifth generation property at Goodger

Moved Cr Fleischfresser seconded Cr Trout that the application be approved

Carried

General Business

Directors Report – Health and Building The Director of Health & Building submitted a written report (F1-F11)

Moved Cr Fleischfresser seconded Cr Shaw that the report be received and adopted

ADJOURNMENT

Moved Cr Trout that the meeting be adjourned for ten (10) minutes

Carried

RESUMPTION

The meeting resumed at 10.55am with attendance as previous to the adjournment

Health and Building Section (cont)**General Business**

Directors Report – Health and Building

Consideration of the following motion continued:

Moved Cr Fleischfresser seconded Cr Shaw that the report be received and adopted

AMENDMENT

Moved Cr Carroll seconded Cr Moss that the report be received and adopted subject to deletion of the recommendation on charges for missed and additional refuse services and insertion of the following in its stead:

Recommended that a fee of \$28.35 be applied where an additional refuse collection services is requested and a fee of \$5.70 be applied where a return trip is required because the container was not placed out in time for collection

Lost

AMENDMENT

Moved Cr Carroll seconded Cr Campbell that that the report be received and adopted subject to the deletion of the recommendation concerning refuse collection from Porters Gap and inclusion of the following “*The Director of Health and Building investigate provision of additional bins in the area*”

Lost

The motion on being put was declared carried

Rural Services Section**General Business**

Manager’s Report – Rural Services The Manager of Rural Services submitted a written report (G1)

Moved Cr Moss seconded Cr Lehmann that the Managers Report – Rural Services be received and adopted

Carried

Local Government Association of Queensland Inc Requesting submissions before 21 February 2003 for Round Two of Graffiti Solutions Funding 2002/2003

Moved Cr Wilson seconded Cr Campbell that the matter be referred to South Burnett CTC Youth Services

Carried

Local Government Association of Queensland Inc Seeking Council's support in opposing the proposed \$85 per property Ambulance Levy on Rate Notices

Moved Cr Lehmann seconded Cr Fleischfresser that Council strongly oppose the implementation of Queensland Ambulance Service (QAS) levy through Council property rates and suggest alternatives such as Car Registration and Electricity Accounts would be a better option

Carried

RECEPTION AND CONSIDERATION OF COMMITTEE AND DELEGATES' REPORTS

Regional Arts Development Fund Committee Report The Regional Arts Development Fund (RADF) Committee reported in accordance with the minutes of the meeting held on 13 November 2002 (H1-H3)

Moved Cr Trout seconded Cr Shaw that the report be received and adopted

Carried

Local Government Accountants Association of Queensland Conference The Director of Administration & Finance submitted a written report on attendance at the Local Government Accountants Association of Queensland Conference held on the Gold Coast 20/22 November 2002 (H4-H7)

Moved Cr Campbell seconded Cr Lehmann that the report be received

Carried

Medical Services Committee Report The Medical Services Committee reported in accordance with the minutes of the meeting held on 3 December 2002 (H8-H9)

Moved Cr Lehmann seconded Cr Campbell that the report be received and adopted

Carried

GENERAL BUSINESS

Electoral Matters Moved Cr Lehmann seconded Cr Shaw that the Chief Executive Officer report to the next meeting on Electoral Matters.

Carried

Reception of Correspondence and Reports Listed for Information

Moved Cr Campbell seconded Cr Moss that General Correspondence and Reports Listed for Information (Folio I1 to I37) be received, that the Outward Correspondence be adopted and that Transfers Nos 29187 to 29205 (both inclusive) be received and recorded in Council's Rate Books.

Carried

Members General Business

Property Numbering

Moved Cr Wilson seconded Cr Carroll that Council consider amending its policy to provide for a single rural number on vacant rural properties when requested

Lost

ATTENDANCE

Cr Campbell left the meeting

CLOSED SESSION

Moved Cr Lehmann that the meeting be closed to the public for the purpose of consideration of staff issues

Carried

OPEN COUNCIL

Moved Cr Lehmann that the meeting resume in open Council

Carried

The Mayor verbally reported that whilst in closed session Council considered staff matters

Moved Cr Trout seconded Cr Shaw that Council express its confidence in and support for Staff for the professional manner in which they perform their regulatory role

Carried

Christmas Greetings

The Mayor extended Christmas Greetings to Councillors and Staff who suitably responded.

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

Confirmed before me this day of 2002.

MAYOR

