

Minutes of the meeting of the Kingaroy Shire Council, held in the Council Chambers, Glendon Street, Kingaroy on Tuesday 22 April 2003 at 9.02 am.

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

**PRAYERS AND CONDOLENCES** A motion of sympathy was passed to the relatives of the late PA Black, LP Gormley, AS Hansen and HR Davis-Armstrong

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

**MAYOR'S MINUTES**

**Mayors Report** Moved Cr Lehmann seconded Cr Trout that the Mayor's Report be received. (A1-A9)

Carried

**CONFIRMATION OF MINUTES**

Moved Cr Lehmann seconded Cr Trout that the minutes of the previous meeting held on Tuesday, 25 March 2003 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**

Coastal Homes Qld Pty Ltd - Peter Evans Forwarding an IDAS Application for a proposed Duplex Development at the corner of Banksia Drive & Youngman Street - Lot 1 RP868330 - Applicant: Peter Evans (Coastal Homes Qld P/L) Owner: D Evans, T&D Vallely, J&D Smith

The Manager of Planning Services submitted a written report recommending that Council issue a Development Permit (Material Change of Use and Operational Works) subject to conditions (B1-B8)

Moved Cr Trout seconded Cr Fleischfresser that the report be adopted

Carried

**ATTENDANCE**

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

The Deputy Mayor assumed the Chair

**ATTENDANCE**

Cr Wieden declared an interest in the following matter and left the meeting

O'Reilly Nunn Favier

Forwarding an IDAS Application for a Material Change of Use & Reconfiguration of Boundaries at Lot 32 RP190075 - G Wieden - Rural Residential Development (1 Lot into 9 Lots)

The Manager of Planning Services submitted a written report recommending:

- (a) That subject to completion of public notification and no objections being received, the Chief Executive Officer be authorised to issue a Development Permit (Material Change of Use, Reconfigure a Lot, Operational Works) subject to conditions and advice; and
- (b) That pursuant to the above and in accordance with s.6.1.34 of the *Integrated Planning Act 1997*, Council make a consequential amendment of its Transitional Planning Scheme to reflect the approved Material Change of Use (Change of Zone) (B20-B30)

Moved Cr Trout seconded Cr Fleischfresser that the report be adopted

Carried

**ATTENDANCE**

Cr Wieden returned to the meeting

**Correspondence**

O'Reilly Nunn Favier

Forwarding an IDAS Application for Reconfiguration of Boundaries at Lot 10 RP170284 - 87 Moore Street Kingaroy - One Lot into Nine Lots - R & A Steele

The Manager of Planning Services submitted a written report recommending that Council issue a Development Permit (Reconfigure a Lot and Operational Works) subject to conditions and advice (B31-B39)

Moved Cr Trout seconded Cr Fleischfresser that the report be adopted subject to inclusion of the following condition and that the advice be amended to reflect the new condition:

**RaL10 Proposed Lot 1 Temporary Access**

The developer shall provide a temporary all-weather access from Moore Street to the existing dwelling on proposed Lot 1 and to the southern boundary of proposed Lot 4, to provide practical access to these lots during Stage 1 of the development.

Where the temporary access intersects Moore Street the developer shall provide a standard residential driveway access through the kerb and channel.

All works shall be to the satisfaction of Council.

**AMENDMENT**

Moved Cr Wilson seconded Cr Shaw that consideration of the matter be deferred until the May meeting pending further investigation of remnant vegetation on the site

Carried

The amendment became the motion and on being put was declared carried

O'Reilly Nunn Favier

Forwarding an IDAS Application for a Rural Residential Subdivision at Lot 158 SP158833 - Redmans Road & Macaulay Drive - 1 Lot into 29 Lots - Owner: KG & DA Taylor & RE & JD Bayliss & MM Keogh: Applicant: Kevin Taylor

Moved Cr Trout seconded Cr Fleischfresser that consideration of the matter be deferred pending completion of application formalities

Carried

**ATTENDANCE**

The Mayor returned to the meeting and resumed the Chair

MJ & JE North

Forwarding an IDAS Development Application for a Relative's Apartment at Lot 41 RP168629 - 23 Joseph Street Kingaroy

The Manager of Planning Services submitted a written report recommending that subject to completion of public notification procedures and no objection being made in respect of the proposal, Council issue a Development Permit (Material Change of Use) subject to conditions (B9-B13)

Moved Cr Trout seconded Cr Fleischfresser that the report be adopted

Carried

- Department of Local Government & Planning
- Inviting applications from Council for funding under the Security Improvement Program - closing date 31 July 2003
- Moved Cr Trout seconded Cr Fleischfresser that consideration of the matter be deferred until the June meeting
- Carried
- Community Respite Options - South Burnett
- Forwarding an IDAS Application for Respite Care and Office at 18 Gladys Street Kingaroy - Lot 8 RP 70853 - Applicant: Community Respite Options - South Burnett - Owner: Michael B Hohnke
- The Manager of Planning Services submitted a written report recommending:
- (a) That Council agree to reimburse application fees to the applicants; and
  - (b) That, subject to completion of public notification procedures and no objection being received, the Mayor be authorised to issue a Development Permit (Material Change of Use and Operational Works), approving the application subject to conditions (B14-B19)
- Moved Cr Trout seconded Cr Campbell that the report be adopted and the applicant be refunded the headworks charges
- Carried
- Australian Bureau of Statistics
- Requesting submissions by 30 June 2003 concerning the Review of Statistical Geography of South East Queensland
- Moved Cr Trout seconded Cr Fleischfresser that the letter be received
- Carried
- Minister for Natural Resources & Minister for Min1e00s
- Forwarding a copy of the Draft State Rural Leasehold Land Strategy and a copy of the Property Resource Management Planning Guidelines.
- Moved Cr Trout seconded Cr Moss that consideration of the matter be deferred to the May meeting
- Carried

- Colin R Barr Forwarding an application for a Mobile Food Van to be located at O'Neill Square
- The Manager of Planning Services submitted a written report recommending that Council issue an Itinerant Vendor's Licence subject to conditions (B40-B43)
- Moved Cr Trout seconded Cr Fleischfresser that the report be adopted subject to amendment of *Condition 9* to the following:
9. This approval shall lapse if not exercised within six (6) months of the date of approval, or once commenced, if the use ceases for a period of three (3) months or the annual licence fee is not paid.
- Carried
- Brian Simpson & Associates Architects Pty Ltd Forwarding an IDAS Application for a Material Change of Use and Building Works at Lots 1 & 2 RP178896 situated at the corner of Markwell Street - Owner: H & DP Investments P/L - Applicant: Brian Simpson & Associates Architects P/L
- Moved Cr Moss seconded Cr Fleischfresser that consideration of the matter be deferred until the required procedures are complete
- Carried
- Department of Natural Resources Forwarding information regarding the new penalty infringement notice system for breaches of Queensland's vegetation management laws.
- Moved Cr Trout seconded Cr Fleischfresser that the letter be received
- Carried
- Local Government Association of Queensland Inc Seeking comments by 19 April 2003 regarding the Integrated Planning and Other Legislative Amendment Bill 2003
- Moved Cr Trout seconded Cr Fleischfresser that the letter be received
- Carried
- David J & Jo-Anne M Rogerson Forwarding an IDAS Application for a Crematorium and Chapel at Pioneer Avenue Kingaroy - Lot 381 FY2689
- Moved Cr Trout seconded Cr Fleischfresser that consideration of the matter be deferred until the required procedures are complete
- Carried

James M Czislawski Forwarding a copy of a letter addressed to Emergency Services Brisbane expressing his objection to the Malar Rural Fire Brigade dumping landfill on their site at 121 McAuliffes Road Kingaroy

Moved Cr Trout seconded Cr Campbell that Council reply in terms of the Queensland Fire and Rescue's advice that work has been instructed to cease on the site until work is properly authorised, and that Council expects issues relating to stormwater runoff from the development to be addressed as part of assessment of the ministerial designation process.

Carried

Department of Tourism Sport & Racing Requesting comments by 21 May 2003 concerning an application received for an Extended Hours Permit at the Club Hotel Kingaroy

Moved Cr Dalton seconded Cr Trout that Council offer no objection to a three (3) month probationary period during the following times:

<i>Friday and Saturday</i>	<i>10:00 am to 2:00 am</i>
<i>Sunday to Thursday</i>	<i>10:00 am to 12:00 am</i>

subject to a courtesy bus being required to be provided, Council's concerns for public order and safety be explained and the Department be requested to consult with Council at the end of the probationary period

Carried

## ***Finance Section***

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

Town Hall Development Plan Moved Cr Lehmann seconded Cr Dalton that Council engage professional assistance to prepare a development plan for the Town Hall Complex

Carried

### ***Correspondence***

Judith C Hansen Requesting Council waive the water usage account of \$542.23 for her residence at 4 Geale Street Kingaroy

Moved Cr Moss seconded Cr Shaw that the writer be advised that Council is unable to accede to her request to reassess water usage for the period ending January 2003. However, Council is prepared to allow the ratepayer an extension of time to pay off the water rates and the charging of interest would be waived during this period

Carried

- Local Government Association of Queensland Inc      Advising the LGAQ Executive has resolved to call for a voluntary levy from Member Councils to support the costs involved with the Ambulance Levy Campaign
- Moved Cr Lehmann seconded Cr Shaw that the Council agree to pay the Voluntary Levy
- Carried
- Big W Kingaroy      Requesting Council consider making a donation towards auction items and raffle prizes for their Fundraising Dinner to be held on 2 August 2003
- Moved Cr Lehmann seconded Cr Shaw that it be noted that Council has approved a concession for the Town Hall rental and Council also offer a set of “*Landscapes of Change*” for auction
- Carried
- Kingaroy State High School      Advising the High School is hosting the State 18 Years Schoolboys Rugby League Carnival from 29 May - 1 June 2003 at the TJ O’Neill Oval and requesting Council improve the condition of the road into the grounds and assist with seating
- Moved Cr Lehmann seconded Cr Trout that it be noted that Council has agreed to construct the bitumen entry from Youngman Street and close the centre entry point as required by the Department of Main Roads at no cost to the Club and Council also agree to assist with moving of the seats during the Carnival
- Carried
- Kumbia Race Club Inc      Requesting assistance either financial or promotional for the Melbourne Cup Day Race Meeting to be held on Tuesday 4 November 2003
- Queensland Racing      Forwarding information in relation to the 2003/04 race date allocation for the Burrandowan Picnic Race Club
- Moved Cr Lehmann seconded Cr Shaw that representatives from the Kumbia and Burrandowan Clubs be invited to meet with the Mayor and Cr Wilson to discuss issues relative to racing
- Carried
- Karate Union of Australia – Shotokan Inc in Qld      Seeking support for their Bi-annual “Defense For The Future”, Sports Development project.
- Moved Cr Lehmann seconded Cr Trout that the letter be received
- Carried

Local Government Association of Queensland Inc	Forwarding details concerning the Civil Liability Act 2003 which includes a form of nonfeasance defence for public authorities	
	Moved Cr Trout seconded Cr Fleischfresser 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 March 2003 be received and adopted	(C1-C6)
		Carried
<b>General Business</b>		
Manager of Library Services Report	The Manager of Library Services submitted a written report (C7-C8)	
	Moved Cr Campbell seconded Cr Lehmann that the report be received and missing items be written off	
		Carried
Economic Development Advisory Body Report	The Economic Development Advisory Body reported in accordance with the minutes of the meeting held on the	(C9-C46)
	Moved Cr Campbell seconded Cr Lehmann that the Economic Development Advisory Body Report be received and adopted	
		Carried
Recreation & Sport Officer	Cr Wilson verbally reported on a meeting with Recreation and Sporting Clubs relative to the assistance provided by the Recreation and Sport Program	
	Moved Cr Lehmann seconded Cr Shaw that Council continue to support a Regional Recreation & Sport Officer for a period of three (3) years provided the Wondai and Nanango Shire Councils also continue their support for the program	
<b>AMENDMENT</b>	Moved Cr Fleischfresser seconded Cr Moss that Council continue to support a Regional Recreation & Sport Officer for a period of twelve (12) months provided the Wondai and Nanango Shire Councils also continue their support for the program	
<b>ADJOURNMENT</b>	Moved Cr Moss that the meeting adjourn for ten (10) minutes	
		Carried
<b>RESUMPTION</b>	The meeting resumed at 10.55 am with attendance as previous to the adjournment	

## **Finance Section (Cont)**

### **General Business**

Recreation & Sport  
Officer

Consideration of the following motion and amendment continued

Moved Cr Lehmann seconded Cr Shaw that Council continue to support a Regional Recreation & Sport Officer for a period of three (3) years provided the Wondai and Nanango Shire Councils also continue their support for the program

### **AMENDMENT**

Moved Cr Fleischfresser seconded Cr Moss that Council continue to support a Regional Recreation & Sport Officer for a period of twelve (12) months provided the Wondai and Nanango Shire Councils also continue their support for the program

Carried

The amendment then became the motion and on being put was declared carried

## **Works Section**

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

Local Government  
Development  
Programme 2003

The Director of Engineering Services submitted a written report on Projects for the Local Government Development Programme 2003 (D7-D8)

Moved Cr Wieden seconded Cr Shaw that the report be received and an application for the following projects be lodged:

#### **Category Participation**

Volunteer training	\$2,500
Walking Program	\$2,500

#### **Category Places**

Youth Park Stage 3	\$30,000
Shade Structures	\$34,000
Carroll Nature Area Walking Tracks	\$10,000

Carried

## **Correspondence**

- Local Government Association of Queensland Inc Requesting comments by 22 April 2003 on the participation of LGAQ in the investigation of Performance Based Standards (PBS) for the Regulation of Heavy Vehicles
- Moved Cr Shaw seconded Cr Lehmann that Council support the participation of the Local Government Association in the investigation
- Carried
- Mr John A Shipman & Miss Vicki M Fuller Requesting Council consider allocating the appropriate funds in the 2003/2004 Budget to bitumen Railway Road Taabinga between Aerodrome Road and Lankowskis Road - signed by residents of Railway Road & letter from Kewpie Pig Ent P/L
- Moved Cr Moss seconded Cr Fleischfresser that the matter be referred to the Budget meeting with a recommendation that the intersection upgrade be attended to in the next budget
- Carried
- Department of Natural Resources & Mines Requesting to know whether Council has any objections or requirements with regards to the Kingaroy Kindergarten purchasing the unallocated state land known as Lot 103 FY 2579
- Moved Cr Wilson seconded Cr Wieden that no objection be made subject to amalgamation with Lot 471 on FY 2579
- Carried
- Department of Main Roads – Toowoomba Inviting Council to submit a prioritised list of suitable projects for funding consideration under a two year program (2003-2004, 2004-2005) as part of the Road Infrastructure Subsidies to Local Government.
- Moved Cr Lehmann seconded Cr Shaw that consideration of the matter be deferred until the May meeting pending a report by the Director of Engineering Services
- Carried
- Kingaroy Junior Soccer Club Inc Requesting permission for the erection of field lighting for the Kingaroy Junior Soccer Club Fields
- Moved Cr Wieden seconded Cr Trout that it be noted that Council has previously approved the proposal in principle and the matter be referred to the Director of Engineering Services to follow up
- Carried

**General Business**

Directors Report – Engineering Services	The Director of Engineering Services submitted a written report (D1-D6)	Carried						
	Moved Cr Wieden seconded Cr Trout that the report be adopted and Council endorse the action in accepting the tender for Contract No 490 – Supply and Delivery of one (1) only 5m <sup>3</sup> approx diesel gravel tip truck							
Heated Swimming Pool Roof	Moved Cr Lehmann seconded Cr Shaw that discussions be held with the Pool Lessee on issues concerning the replacement of the roof on the heated swimming pool	Carried						
Plans for Approval	Moved Cr Moss seconded Cr Campbell that the following Plans and Estimates be approved:  <table border="0" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: left;"><i><b>Plan No</b></i></th> <th style="text-align: left;"><i><b>Description</b></i></th> <th style="text-align: right;"><i><b>Estimate</b></i></th> </tr> </thead> <tbody> <tr> <td style="text-align: left;">11178</td> <td style="text-align: left;">Haly Creek Road Bridge Replacement</td> <td style="text-align: right;">\$184,798</td> </tr> </tbody> </table>	<i><b>Plan No</b></i>	<i><b>Description</b></i>	<i><b>Estimate</b></i>	11178	Haly Creek Road Bridge Replacement	\$184,798	Carried
<i><b>Plan No</b></i>	<i><b>Description</b></i>	<i><b>Estimate</b></i>						
11178	Haly Creek Road Bridge Replacement	\$184,798						
School Bus Routes	Moved Cr Shaw seconded Cr Moss that Council discuss the concept of providing designated bays for School Buses with Queensland Transport	Carried						
Peanut Company of Australia – BMX	Moved Cr Lehmann seconded Cr Campbell that a meeting be arranged with Peanut Company of Australia with a view to discussing the future of the existing BMX Track	Carried						
B-Triple Route	Moved Cr Wieden seconded Cr Fleischfresser that Council investigate implications and costs for alternative routes for B-Triples to access Kingaroy Swickers Bacon Factory	Carried						



## **General Business**

- Directors Report –  
Health and Building      The Director of Health & Building submitted a written report
- Moved Cr Fleischfresser seconded Cr Shaw that the report be received and adopted (F1-F4)
- Carried
- 7 Martin Place –  
Boundary Concession      The Director of Health and Building submitted a written report on an application for boundary concession for carport at 7 Martin Place (F5-F7)
- Moved Cr Trout seconded Cr Fleischfresser that the owner be advised that Council is of the opinion that it is not necessary or expedient to build the open carport in its current location and that unless the owner provides adequate reasons as to why the carport would be located in this position, the concession will not be granted and the carport will need to be removed.
- Carried

## **Rural Services Section**

### **Correspondence**

- Department of Natural Resources      Forwarding the Draft Government Policy on Development and Use of Leucaena developed by the Responsible Use and Management of Plants - Interagency Working Group - and requesting comments by 1 May 2003
- Moved Cr Moss seconded Cr Shaw that the letter be received
- Carried
- Office of the Gene Technology Regulator      Forwarding a Request for Comment on the Risk Assessment and Risk Management Plan for DIR 021/2002 from Bayer Cropscience Pty Ltd to Commercially Release Genetically Modified Canola
- Moved Cr Moss seconded Cr Trout that the letter be received
- Carried
- Local Government Association of Queensland Inc      Advising Department of Natural Resources has released the Regulatory Impact Statement and Outcome of National Competition Policy Review - Proposed Land Protection (Pest and Stock Route Management) Regulation
- Moved Cr Moss seconded Cr Trout that the letter be received
- Carried

**General Business**

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

Carried

Municipal Saleyards Report      The Manager of Rural Services submitted a written report      (G2)  
 Moved Cr Moss seconded Cr Trout that the Municipal Saleyards Report be received

Carried

**General Section****/Correspondence**

Regional Achievers Awards      Community of the Year Award - Forwarding information regarding the Queensland Regional Achievers Awards & The Community of the Year Award

Moved Cr Campbell seconded Cr Lehmann that Council nominate Kingaroy for "*The Community of the Year Award*"

Carried

Office of the Director-General, Department of Local Government and Planning      Forwarding copies of the publication Best Practice Guidelines – Agenda Management and Minute Recording which were supported by a series of training workshops during March and April 2003

Moved Cr Campbell seconded Cr Lehmann that the letter be received and the Chief Executive Officer report to Council on suggested changes to Council's Meeting Agenda

Carried

Telstra - Business Women's Awards      Advising nominations close on Monday 12 May 2003 for the 2003 Telstra Business Women's Awards

Moved Cr Trout seconded Cr Lehmann that the letter be received

Carried

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

Enterprise Agreement Team Meeting – Minutes      The Enterprise Agreement Team Committee reported in accordance with the minutes of the meeting held on Tuesday, 1 April 2003 (H1-H3)

Moved Cr Lehmann seconded Cr Shaw that the report be received

Carried

Regional Arts Development Fund Committee Report      The Regional Arts Development Fund Committee reported in accordance with the minutes of the meeting held on Wednesday 26 March 2003 (H4-H5)

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

Carried

Centenary of Kingaroy Committee Report      The Centenary of Kingaroy Committee reported in accordance with the minutes of the meeting held on Wednesday, 9 April 2003 (H6-H10)

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

Carried

**GENERAL BUSINESS**

Budget Meetings      Moved Cr Trout seconded Cr Carroll that the budget meetings be held as follows:

- *Preliminary Budget Meeting – Monday, 23 June 2003 at 9:00 am; and*
- *Budget Meeting – Monday, 28 July 2003 at 5:30 pm*

Carried

Road Inspections      Moved Cr Trout seconded Cr Dalton that the Area Road Inspections be carried out as follows:

- *Area 2 Inspection – Wednesday, 30 April 2003;*
- *Area 3 Inspection – Friday, 9 May 2003;*
- *Area 1 Inspection – Monday, 12 May 2003; and*
- *Area 4 Inspection – Wednesday, 14 May 2003*

Carried

**Reception of Correspondence and Reports Listed for Information**

Moved Cr Campbell seconded Cr Lehmann that General Correspondence and Reports Listed for Information (Folio I1 – I33) be received that the Outward Correspondence be adopted, and Transfers Nos 29381 to 29452 (both inclusive) be received and recorded in Council’s Rate Books.

Carried

**ADJOURNMENT**

Moved Cr Trout that the meeting adjourn until 2:00 pm

Carried

**RESUMPTION**

The meeting resumed at 2.10 pm

**ATTENDANCE**

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

Presentation by John Mongard

Mr John Mongard presented concept plans and estimates of cost for development of the proposed Kingaroy Heritage and cultural Precinct

Moved Cr Fleischfresser seconded Cr Campbell that Council receive and adopt “in principle” the concept plans for the Kingaroy Heritage and Cultural Precinct

Carried

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

Confirmed before me this ..... day of ..... 2003.

**MAYOR**