

Minutes of the meeting of the Kingaroy Shire Council, held in the Council Chambers, Glendon Street, Kingaroy on Tuesday 24 June 2003 at 9.05 am.

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

Cr KM Campbell entered the meeting later

PRAYERS AND CONDOLENCES A motion of sympathy was passed to the relatives of the late VE Barron, R Vidler, EE Rackemann, DW Adanski, RG Jones, EC Grott, CD Larsen, HG Schwenke and I Mann

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 Trout seconded Cr Wilson that the Mayor's Report be received. (A1-A4)
Carried

CONFIRMATION OF MINUTES

Moved Cr Lehmann seconded Cr Moss that the minutes of the previous meeting held on Tuesday 27 May 2003 as recorded be confirmed.

Carried

Moved Cr Lehmann seconded Cr Fleischfresser that the minutes of the Special meeting held on Monday 23 June 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

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 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

The Manager of Planning Services submitted a written report recommending that Council issue a Preliminary approval (Reconfigure a Lot) and Development Permit (Operational Works) subject to conditions and advice (B12-B19)

Moved Cr Trout seconded Cr Fleischfresser that the report be adopted

Carried

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

Correspondence

O'Reilly Nunn Favier Forwarding an IDAS Application - Material Change of Use & Reconfiguration of Boundaries - Stage 5 Hillview Estate - Proposed 33 Lots – Lot 2 SP 156295 - Applicant: Graham Wieden - Owner: Bimgold P/L & Big Mall P/L

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

Carried

ATTENDANCE Cr Wieden returned to the meeting

O'Reilly Nunn Favier Forwarding an IDAS Application for Re-alignment of Boundaries and Two (2) Unit Developments - Lot 29 RP37027 & Lots 51 & 52 RP37030 - Owner: RD & SA Starr & RW Coyne & JE Houston - Applicant: South Burnett Surveys P/L

O'Reilly Nunn Favier Advising Council that they wish to withdraw the application for the Reconfiguration of Boundaries and Material Change of Use at Thelma Street Kingaroy

Moved Cr Trout seconded Cr Fleischfresser that the letters be received and it be noted that the Application has been withdrawn

Carried

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

O'Reilly Nunn Favier Seeking a negotiated decision to modify the condition of approval - Condition RaL4 Parks Contribution regarding the application for the reconfiguration of boundaries at Lot 32 RP190075 - Graham Street - Owner: Graham Wieden

The Manager of Planning Services submitted a written report recommending that Council refuse to issue a Negotiated Decision Notice and provide reasons (B11)

Moved Cr Trout seconded Cr Fleischfresser that the report be adopted

Carried

ATTENDANCE

The Mayor returned to the meeting and resumed the Chair

Cr Wieden returned to the meeting

Colin R Barr Forwarding an IDAS Application for a Mobile Food Van at the Youth Park on Lot 2 RP 165703 - Somerset Street Kingaroy - owner: Peanut Company of Australia Limited; applicant: Colin Raymond Barr

Peanut Company of Australia Advising they have no objections to the IDAS application Lot 2 RP 165703 for Caterers Shop (Food Van) – applicant Colin Barr and forwarding a comment for record

The Manager of Planning Services submitted a written report recommending that subject to completion of public notification procedures and no objection being received, authority be delegated to the Mayor to issue a Development Permit (Material Change of Use) subject to conditions and advice (B6-B10)

Moved Cr Trout seconded Cr Fleischfresser that the report be adopted and that the currency period be six (6) months

Carried

Mr Doug Farmer and Mr Desmond Rowe Forwarding a submission concerning the application for commercial purposes at 21-23 Markwell Street Kingaroy - Lots 1 & 2 RP 178896 – H & DP Investments Pty Ltd

Moved Cr Trout seconded Cr Fleischfresser that the letter be received and it be noted that the submission has been withdrawn

Carried

James M Czislowski Requesting Council review the decision made regarding the landfill for the Proposed Rural Fire Station at 121 McAuliffes Road

Moved Cr Trout seconded Cr Shaw that the letter be received and the writer be advised a formal Development Application has now been received and he will be given formal notice in due course when the application is available for public inspection and submissions.

Carried

- Queensland Fire and Rescue Service Forwarding an IDAS Application for a Rural Fire Station at 121 McAuliffes Road Kingaroy - Lot 5 RP198976 - Applicant: Queensland Fire and Rescue Service; Owner: Richard Wheeldon
- Moved Cr Trout seconded Cr Shaw that consideration of the matter be deferred until the required procedures are complete
- Carried
- Department of Natural Resources Announcing a halt on accepting applications for clearing vegetation lodged under the Integrated Planning Act 1997 (IPA) or under the Land Act 1994
- Moved Cr Trout seconded Cr Moss that the letter be received and the contents be noted
- Carried
- Burnett Inland Economic Development Organisation Forwarding a copy of a letter from Burnett Mary Regional Group for Natural Resource Management Inc regarding the National Action Plan for Salinity and Water Quality
- Moved Cr Trout seconded Cr Shaw that the letter be received and Council confirm that it is prepared to be a Pilot Site
- Carried
- DJ & C Errington Pty Ltd Applying to Council for a relaxation on the front boundary from six metres to five metres for a proposed duplex at Lot 17 North Street (4 Kurtellen Crescent) Kingaroy on behalf of Raab Investments Pty Ltd
- Moved Cr Trout seconded Cr Fleischfresser that the application be approved subject to provision of a six (6) metre wide vehicle access and provision of a concrete drive across the footpath
- Carried
- Tim McGowan Forwarding an Enquiry Preliminary to Formal Application for a proposed Four Star Motel to be constructed at Lot 102 RP862347 - Rogers Drive Kingaroy - Applicant: Damien Kennedy - Owner: Barry Rogers
- The Manager of Planning Services submitted a written report recommending that Council advise that it would be unlikely to support a formal application to establish a Motel on the land, and offer reasons (B1-B5)
- Moved Cr Trout seconded Cr Dalton that the report be adopted
- Lost
- Moved Cr Lehmann seconded Cr Moss that the writer be advised that Council is likely to approve the formal application subject to appropriate conditions in relation to provision of services and buffering from adjoining uses and advice be included as per State Planning Policy No 1/92 Development and the Conservation of Agricultural Land
- Carried

Buckley Vann Requesting a change to the IDAS approval for a Bluecare Aged Care Facility at Windsor Circle Kingaroy - Lot 177 RP885385 - Applicant: Uniting Church in Australia Pty Ltd

The Manager of Planning Services submitted a written report recommending that Council agree to the change to the Approval, and that the conditions of approval be amended as required to reflect the changed approval (B20-B22)

Moved Cr Trout seconded Cr Fleischfresser that the report be adopted

Carried

Finance Section

Correspondence

Stuart River Rural Fire Brigade Requesting Council collect a fire levy of \$30 for the 2003 rates assessment

Moved Cr Moss seconded Cr Lehmann that Council accede to their request

Carried

Kingaroy Combined Sporting Clubs Irrigation Committee Forwarding a request for financial assistance to upgrade current irrigation practices at Kingaroy Shire Council's Bjelke-Petersen Recreation Precinct

Moved Cr Lehmann seconded Cr Shaw that consideration of the matter be referred to the Budget meeting

Carried

South Burnett Senior Citizens Welfare Association Requesting Council consider allocating a funding grant for the 2003/2004 year for welfare purposes

Moved Cr Lehmann seconded Cr Shaw that consideration of the matter be referred to the Budget meeting

Carried

Burnett War Memorial Museum Assoc Inc Requesting Council consider granting financial assistance towards the cost of replacing the roof of the 128 Meteorological Building

Moved Cr Lehmann seconded Cr Shaw that consideration of the matter be referred to the Budget meeting

Carried

Burnett Inland Economic Development Organisation	<p>Requesting Council consider financial support for the 2003/2004 year for the continuation of the Burnett Inland Economic Development Organisation</p> <p>Moved Cr Lehmann seconded Cr Fleischfresser that Council approve the payment of an annual contribution of \$5,000 for the 2003/2004 financial year</p> <p>Carried</p>
Local Government Association of Queensland Inc	<p>Forwarding information regarding Workers' Compensation Cover For Councillors</p> <p>Moved Cr Lehmann seconded Cr Shaw that the letter be received</p> <p>Carried</p>
Local Government Association of Queensland Inc	<p>Forwarding information regarding the State Budget 2003/2004</p> <p>Moved Cr Shaw seconded Cr Lehmann that the letter be received</p> <p>Carried</p>
Local Government Association of Queensland Inc	<p>Forwarding the Summary Report concerning Strategic Policy Options for the Smart Library Network Review</p> <p>Moved Cr Lehmann seconded Cr Shaw that the letter be received</p> <p>Carried</p>
PBF Australia Ltd	<p>Requesting Council confirm that Paraplegic Benefit Fund Corporate Membership has been successfully included in Council's plans for the 2003/2004 Financial Year</p> <p>Moved Cr Lehmann seconded Cr Shaw that the letter be received</p> <p>Carried</p>
Kingaroy Chamber of Commerce Inc	<p>Requesting Council consider a financial contribution of \$36,000 for 2003/2004 budget</p> <p>Moved Cr Lehmann seconded Cr Shaw that consideration of the matter be referred to the Budget meeting</p> <p>Carried</p>
Department of Natural Resources	<p>Requesting comments by 7 July 2003 regarding the Regulatory Impact Statement - Valuation of Land Regulation 2003 and the Regulatory Impact Statement - Valuers Registration Regulation 2003.</p> <p>Moved Cr Lehmann seconded Cr Trout that the letter be received and the matter be referred to the Director of Administration & Finance for response if considered necessary</p> <p>Carried</p>

Taabinga Parents & Citizens Association	Forwarding an Application Form for Funding to refurbish the school oval to reduce the number of injuries currently being experienced by the children who use the oval	
	Moved Cr Dalton seconded Cr Trout that consideration of the matter be referred to the Budget meeting	
		Carried
Monthly Financial Statements	Moved Cr Lehmann seconded Cr Moss that the Financial Statements for the period ending 31 May 2003 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 Lehmann seconded Cr Trout that the report be received, the donors of books be thanked and missing books 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 17 June 2003 (C8-C23)	
	Moved Cr Lehmann seconded Cr Trout that the Economic Development Advisory Body Report be received and adopted	
		Carried
Hospital Operations Guarantee	Moved Cr Fleischfresser seconded Cr Shaw that Council provide a guarantee with the ANZ Bank Ltd for an overdraft facility on the account of Kingaroy Private hospital Limited to a maximum amount of two hundred and fifty thousand dollars (\$250,000)	
		Carried
Works Section		
Correspondence		
Department of Main Roads – Toowoomba	Forwarding comments in response to concerns raised by Council regarding Stuart River Bridge Repairs on Kingaroy-Burrandowan Road and other bridge repairs on the Program	
	Moved Cr Moss seconded Cr Shaw that the letter be received	
		Carried
Local Government Association of Queensland Inc	Forwarding a program and registration brochure for the Queensland Landcare and Catchment Management Conference 2003 to be held at Gympie 22-25 August 2003	
	Moved Cr Trout seconded Cr Dalton that the letter be received	
		Carried

- Local Government Association of Queensland Inc Forwarding a Discussion Paper regarding the Queensland Road Safety Strategy 2004 to 2011 for comment by 6 June 2003
- Moved Cr Shaw seconded Cr Trout that the letter be received
- Carried
- Local Government Association of Queensland Inc Requesting comments by Friday 20 June 2003 regarding the Draft Statement of Institutional Responsibilities pertaining to the Legal and Funding Responsibility for Level Crossing Safety
- Moved Cr Shaw seconded Cr Trout that the letter be received and Council make a submission in relation to safety requirements where the rail line is infrequently used
- Carried
- Department of Natural Resources Requesting comments by 1 July 2003 concerning a Request to Repeal Reserve (R699) and Issue Deed of Grant over Kingaroy State Pre School - Lot 397 FY2450 - Kingaroy Shire Council (GLR6859)
- Moved Cr Trout seconded Cr Wieden that no objection be made
- Carried
- Local Government Association of Queensland Inc Forwarding details regarding 2003 Queensland Arbor Day Awards and advising that the closing date for entries is 18 July 2003
- Moved Cr Trout seconded Cr Shaw that the letter be received
- Carried
- Adjournment** Moved Cr Trout that the meeting adjourn for ten (10) minutes
- Carried
- During the adjournment a Citizenship Ceremony was conducted for:
- Helen Irene GILLYON; and
Beverley Charles GILLYON**
- Resumption** The meeting resumed at 10.54 am
- Attendance** 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
- Works Section (Cont)**
- General Business**
- Directors Report – Engineering Services The Director of Engineering Services submitted a written report (D1-D5)
- Moved Cr Shaw seconded Cr Dalton that the report be received
- Carried

Firewood Collection	The Director of Engineering Services presented notes on issues in relation to firewood collection from roadsides (D6)
	Moved Cr Moss seconded Cr Wilson that Council not allow firewood collection on Shire roads
	Lost

Water and Sewerage Section

Correspondence

Local Government Association of Queensland Inc	Forwarding information concerning the Natural Heritage Trust - Water Savings Project
	Moved Cr Shaw seconded Cr Trout 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 Dalton seconded Cr Shaw that the report be received
	Carried
Building over Sewer Line	Moved Cr Dalton seconded Cr Fleischfresser that Council instigate proceedings against Peter John Davidson for a breach of the Standard Sewerage Law in respect of the unlawful building of a garage over a Council sewer on property described as Lot 27 on Registered Plan 36989, Parish of Wooroolin, County of Fitzroy, situated at 58 King Street, Kingaroy.
	Carried

Health and Building Section

Correspondence

Building Codes Queensland	Seeking comments by 27 June 2003 on the proposed amendments to the Fire Safety Standard
	Moved Cr Fleischfresser seconded Cr Shaw that the letter be received
	Carried
Local Government Association of Queensland Inc	Seeking nominations by 30 June 2003 from Councils for representatives on a newly forming LGAQ Environment Reference Group
	Moved Cr Fleischfresser seconded Cr Lehmann that the letter be received and Council nominate the Director of Health & Building, Darryl Brooks to be a representative on the Group
	Carried

- Peter Quilty Requesting concessions to the building code with respect to the property Lot 1 RP 63427 situated at 39 Knight Street, Kingaroy
- Peter Quilty Forwarding further details concerning his request for concessions to the building code with respect to the property Lot 1 RP 63427 situated at 39 Knight Street, Kingaroy
- The Director of Health & Building submitted a written report recommending that Council:
- (a) Reject the application for a roofed structure to the side boundary as proposed and the applicant be advised that the roofed section of the structure must have a minimum side boundary clearance of 1.5 metres; and
 - (b) Vary the application of Standard Building regulation, Division 2 – Boundary Clearances, which will allow the construction of the proposed unroofed structure to be built adjacent to the boundary (F17-F20)
- Moved Cr Trout seconded Cr Fleischfresser that the report be adopted
- Carried

General Business

- Director's Report – Health & Building The Director of Health & Building submitted a written report (F1-F16)
- Moved Cr Moss seconded Cr Fleischfresser that the report be adopted
- Carried

Rural Services Section

Correspondence

- Department of Natural Resources Advising that the Minister has approved \$18864 as the Annual Payment (Precept) for the 2003/2004 financial year
- Moved Cr Moss seconded Cr Shaw that the letter be received
- Carried
- Kolan Shire Council Requesting Council's support by way of a payment of \$100 towards projects relating to Pest Animal and Plant Awareness Programs
- Moved Cr Moss seconded Cr Trout that the letter be received
- Carried
- Local Government Association of Queensland Inc Inviting nominations by Monday 21 July 2003 from Councillors to represent the LGAQ on the Land Protection Council
- Moved Cr Shaw seconded Cr Wilson that the letter be received and Council nominate Cr Moss for representation on the Land Protection Council
- Carried

General Business

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

Moved Cr Lehmann seconded Cr Wilson 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 Campbell that the Municipal Saleyards Report be received

Carried

General Section**Correspondence**

Department of Housing Requesting comments by 1 August 2003 concerning the Discussion Paper on the Proposed Amendment to the Interim Manager Provision of the Housing Bill 2003

Moved Cr Campbell seconded Cr Lehmann that the letter be received

Carried

Wide Bay Burnett Sustainable Region Advisory Committee Forwarding a Press Release - Wide Bay-Burnett Sustainable Region Advisory Committee Support For Region's Emerging Leaders

Moved Cr Campbell seconded Cr Lehmann that the letter be received

Carried

Local Government Association of Queensland Inc Forwarding a call for nominations from people interested in filling several Council vacancies on the National Disability Advisory Council

Moved Cr Campbell seconded Cr Lehmann that the letter be received

Carried

Local Government Association of Queensland Inc Advising the Queensland Government Department of Families has announced \$360000 of new funding for Youth Crime Prevention Projects

Moved Cr Lehmann seconded Cr Campbell that the letter be received and the matter be discussed with South Burnett CTC to determine if an application should be lodged

Carried

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| Local Government Association of Queensland Inc | <p>Seeking nominations from Councils for representatives on the LGAQ Social Policy Reference Group</p> <p>Moved Cr Campbell seconded Cr Lehmann that Council nominate the Mayor to be a representative on the Group</p> <p style="text-align: right;">Carried</p> |
| Local Government Association of Queensland Inc | <p>Forwarding a copy of the Queensland State Election Local Government Policy Plan and the submission entitled "State Funding Support For Local Government - Looking To The Future".</p> |
| Local Government Association of Queensland Inc | <p>Forwarding a copy of the Queensland State Election Local Government Policy Plan 2003</p> <p>Moved Cr Campbell seconded Cr Lehmann that the letters be received</p> <p style="text-align: right;">Carried</p> |
| Wide Bay-South Burnett Local Government Assoc | <p>Forwarding a copy of the minutes of the half yearly and annual general meeting held at Kingaroy on 2 June 2003</p> <p>Moved Cr Campbell seconded Cr Lehmann that the letter be received</p> <p style="text-align: right;">Carried</p> |
| Local Government Association of Queensland Inc | <p>Forwarding an urgent reminder: LGAQ Annual Conference - Call For Motions Deadline - 27 June 2003</p> <p>Moved Cr Campbell seconded Cr Lehmann that the letter be received</p> <p style="text-align: right;">Carried</p> |
| Premier of Queensland & Minister for Trade | <p>Forwarding details and nomination form concerning the Smart Women – Smart State Awards and urging Council to support the initiative</p> <p>Moved Cr Campbell seconded Cr Lehmann that the letter be received</p> <p style="text-align: right;">Carried</p> |

RECEPTION AND CONSIDERATION OF COMMITTEE AND DELEGATES' REPORTS

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| Regional Arts Development Fund (RADF) Committee Report | <p>The Regional Arts Development Fund (RADF) Committee reported in accordance with the minutes of the meeting held on Wednesday, 28 May 2003 (H1-H3)</p> <p>Moved Cr Trout seconded Cr Wieden that the report be received and adopted</p> <p style="text-align: right;">Carried</p> |
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- Medical Services Committee Report The Medical Services Committee reported in accordance with the minutes of the meeting held on Tuesday, 3 June 2003 (H4-H6)
- Moved Cr Fleischfresser seconded Cr Shaw 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 4 June 2003 (H7)
- Moved Cr Fleischfresser seconded Cr Moss that the report be received and adopted
- Carried
- Cr Campbell - "From Dream to Reality" Conference Report Cr Campbell forwarded a report on attendance at a Conference titled "*From Dream to Reality* – Shaping your Community through Smart Practice" attended in Boonah on 9-11 May 2003 (H8-H11)
- Moved Cr Trout seconded Cr Lehmann that the report be received
- Carried
- Freedom of Information – Statement of Affairs The Director of Administration & Finance submitted the Freedom of Information - Statement of Affairs for 2003 (H12-H21)
- Moved Cr Lehmann seconded Cr Trout that the Statement of Affairs be received and adopted
- Carried
- Cr Wilson – Sport and Recreation Conference Report Cr Wilson submitted a written report on a Sport and Recreation Conference he attended in Maryborough on 31 May 2003 organised by Community Solutions (H22-H25)
- Moved Cr Shaw seconded Cr Trout that the report be received
- Carried

GENERAL BUSINESS

Reception of Correspondence and Reports Listed for Information

Moved Cr Lehmann seconded Cr Wieden that General Correspondence and Reports Listed for Information (Folio I1 – I34) be received that the Outward Correspondence be adopted, and Transfers Nos 29507 to 29555 (both inclusive) be received and recorded in Council's Rate Books.

Carried

**Members General
Business**

Wide Bay/Burnett HACC
& Disability Conference
2003

Moved Cr Moss seconded Cr Dalton that Cr Shaw be authorised to attend the Wide Bay/Burnett HACC & Disability Conference 2003 “Challenging Values in Challenging Times” to be held in Murgon on 4/5 September 2003

Carried

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

Confirmed before me this day of 2003.

MAYOR