

Minutes of the meeting of the Kingaroy Shire Council, held in the Council Chambers, Glendon Street, Kingaroy on Thursday 23 September 2004 at 9.05 am.

PRESENT

Cr KR Nunn (Mayor), Crs WD Moss, MG Shaw, RC Coleman, CD Dalton, BJ Carroll, LJ Trout, WH Ford, MA Lehmann and KM Campbell

1. **LEAVE OF ABSENCE**

Cr TW Fleischfresser

Motion:

Moved Cr Trout seconded Cr Campbell

That the Leave of Absence be granted

Carried 10/0

2. **PRAYERS AND CONDOLENCES**

A motion of sympathy was passed to the relatives of the late LO Beil, OL Crawford, OM Seng, OE Pokarier, DD Stead, LE Crawford, PD Cox, BM Dugdell, RR Law, RM Sperling and GE Gammie

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

3. **ADDRESS FROM PUBLIC GALLERY**

Mr Joseph Kerswell and Mr Mario Pepi addressed Council on the Ergon Substation in Doonkuna Street, Kingaroy

Mr James Mcaulay from Bimgold Pty Ltd addressed Council on the subdivision application for rural residential

4. **RECEIPT OF PETITIONS**

Nil

5. **CONFIRMATION OF MINUTES**

Motion:

Moved Cr Ford seconded Cr Shaw

That the minutes of the previous meeting held on Thursday, 26 August 2004 as recorded be confirmed.

Carried 10/0

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

SEE BUSINESS FUNCTION HEADINGS

DECLARATION OF INTEREST

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

The Deputy Mayor assumed the Chair

6. PLANNING AND DEVELOPMENT SERVICES SECTION**6.1 Business Arising Out of Minutes**

- 6.1.1 **O'Reilly Nunn Favier** - Forwarding IDAS Development Application for Reconfiguration of a Lot (Subdivide one lot into twenty lots) at Lot 4 SP 168669 (was Lot 2 SP 164658) Stage 6 Hillview Estate - Applicant - Merv O'Reilly Owner - Wieden Developments Pty Ltd

Background:

Report Nos: (A5-A19)

The Manager of Planning Services and Deputy Director of Engineering Services submitted a written report recommending that Council issue a Development Permit (Reconfigure a Lot) and Preliminary Approval (Operational Works) subject to conditions and advice

Motion:

Moved Cr Trout seconded Cr Dalton

That the report be received and adopted subject to:

- *Deletion of dot point 3 from condition RaL 5 Parks – "connection of water, sewerage and electricity to the formal park area." and*
- *Inclusion of the following advice:*

"Connection of water, sewerage and electricity services to the formal park area (southern end of site) will be considered as a condition for Stage 7 of the development. It is recommended the applicant discuss development of the park area with Council officers prior to the Stage 7 application to facilitate orderly development of the land."

Lost 6/3

Motion:

Moved Cr Moss seconded Cr Shaw

That the report be received and adopted subject to:

Deletion of dot point 1 – "Construction of the walking path" and dot point 3 – "Connection of water, sewerage and electricity to the formal park area" from condition RaL 5 Parks and the issue be reviewed on consideration of Stage 7

Carried 6/3

- 6.1.2 **O'Reilly Nunn Favier** - Forwarding Without Prejudice report for IDAS Development - Rural Residential Estate - Lot 1 on RP854228 - Curtis Road, Kingaroy

Background:

Report Nos: (A47-A50)

The Manager of Planning Services submitted a written report recommending that Council advise it is not in a position to make a full and proper decision on future growth patterns, but that the matter will be reviewed in detail following notification of Council's Draft Planning Scheme

Motion:

Moved Cr Trout seconded Cr Dalton

That the report be received and adopted

PROCEDURE - CLOSED SESSION

Motion:

Moved Cr Moss seconded Cr Campbell

That the meeting be closed to the public for the purpose of consideration of the report as the matter is currently under legal proceedings and is action to be taken by the Local Government under the Integrated Planning Act

Carried 7/2

OPEN COUNCIL

Motion:

Moved Cr Ford seconded Cr Moss

That the meeting resume in Open Council

Carried 9/0

The Deputy Mayor reported that whilst in Closed Session Council considered the report on "Without Prejudice" - P&E Appeal No. BD 223 of 2004 - Bimgold Pty Ltd & Bigmall Pty Ltd Vs Kingaroy Shire Council

Motion:

Moved Cr Trout seconded Cr Shaw

That the Deputy Mayors report be received

Carried 9/0

Motion:

Consideration of the Motion to receive and adopt the report on "Without Prejudice" - P&E Appeal No. BD 223 of 2004 - Bimgold Pty Ltd & Bigmall Pty Ltd Vs Kingaroy Shire Council continued

PROCEDURE:

Cr Dalton called a Division on the Motion

The Motion on being put was declared Lost 7/2

Voting for the Motion – Crs LJ Trout, CD Dalton

Voting against the Motion – Crs WD Moss, MG Shaw, RC Coleman, BJ Carroll, WH Ford, MA Lehmann and KM Campbell

Motion:

Moved Cr Campbell seconded Cr Moss

That Council agree to enter into "Without Prejudice" negotiations with the Developers and the Deputy Mayor, Cr Trout and Senior Staff be authorised to conduct the negotiations and report back to Council

Carried 7/2

6.2 Correspondence

- 6.2.1 **G & C Wieden - Wieden Developments Pty Ltd** - Forwarding discussions and proposing Council contribute to external stormwater works pursuant to the Hillview Stage 6 subdivision development

Background:

Report Nos: (A45-A46)

The Deputy Director of Engineering Services submitted a written report concerning the request from Wieden Developments for contribution towards stormwater drainage. Seeking Council's direction in this regard

Motion:

Moved Cr Dalton seconded Cr Shaw

That Council not accede to the request from Wieden Developments for contribution towards stormwater drainage

Amendment:

Moved Cr Trout seconded Cr Dalton

That Council not accede to the request from Wieden Developments for contribution towards stormwater drainage but offer to carry out the works as a private works project

The original motion was withdrawn with the permission of the meeting

The amendment then became the motion.

ADJOURNMENT

Motion:

Moved Cr Ford

That the meeting adjourn for ten (10) minutes

Carried 9/0

RESUMPTION

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

6. PLANNING AND DEVELOPMENT SERVICES SECTION (CONT)

6.2 Correspondence

The debate continued on the following motion

Motion:

Moved Cr Trout seconded Cr Dalton

That Council not accede to the request from Wieden Developments for contribution towards stormwater drainage but offer to carry out the works as a private works project

Lost 7/2

Motion:

Moved Cr Carroll seconded Cr Moss

That Council agree to contribute 25% towards the stormwater drainage up to a maximum of \$12,500 provided that Council carries out the work

Carried 7/2

ATTENDANCE

The Mayor returned to the meeting and resumed the Chair

6.1 Business Arising Out of Minutes (Cont)

- 6.1.3 **Arthur G & Christiene G Nettelfield** - Forwarding IDAS Development Application Material Change of Use for a Relative's Apartment at Lot 7 SP 126026, 598 Recreation Drive - Applicant Arthur Nettelfield - Owner - AG & CG Nettelfield

Background:

Report Nos: (A20-A24)

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

Motion:

Moved Cr Trout seconded Cr Dalton

That the report be received and adopted

Carried 10/0

- 6.1.4 **Kingaroy Dance Effects** - Forwarding an IDAS development application for Indoor Entertainment - Dance Studio at 119 Youngman Street, Kingaroy - Lot 4 on RP207495 - Applicant: Kingaroy Dance Effects - Melissa Slatter Owner: Southpine Nominees Pty Ltd

Background:

Report Nos: (A25-A31)

The Manager of Planning Services submitted a written report recommending that subject to completion of public notification procedures and no public submission being received, Council delegate authority to the Mayor to issue a Development Permit (Material Change of Use) subject to conditions and advice

Motion:

Moved Cr Trout seconded Cr Shaw

That the report be received and adopted

Carried 10/0

6.2 Correspondence (Cont)

- 6.2.1 **Hartley P & Emma D Kimball** - Requesting permission to build a second liveable dwelling on their property at 558 Malar Road Kingaroy

Background:

Report Nos: (A51-A53)

The Manager of Planning Services submitted a written report recommending that Council accede to the request, subject to agreement between the applicant and Council's Manager of Planning Services on the siting of the proposed additional dwelling

Motion:

Moved Cr Trout seconded Cr Dalton

That the report be received and adopted

Carried 10/0

- 6.2.2 **Local Government Association of Queensland Inc** - Requesting comments from Councils on how they would like to see a lower cost dispute resolution system in the proposed Land and Environment Court

Background:

The Department is investigating a means of reducing dispute resolution costs. The general concept is supported. There are no further comments at this time.

Motion:

Moved Cr Trout seconded Cr Ford

That the letter be received

Carried 10/0

- 6.2.3 **Elmes Construction Group P/L - David J Elmes** - Forwarding a request to change an existing approval at 69-71 Kingaroy Street - Lot 24 SP126023 & Lot 6 RP57921 - Owners: G & M Clark

Background:

Report Nos: (A40-A44)

Council approval is sought to relocate the refuse collection area and to allow an additional access onto Knight Street to service the new area. A letter of support from the adjoining owner has been provided with the request.

The Manager of Planning Services submitted a written report recommending that Council accede to the request in part subject to a condition and advice

Motion:

Moved Cr Trout seconded Cr Ford

That consideration of the matter be deferred until the next Council meeting

Carried 10/0

- 6.2.4 **Trevor J & Heather M Harrison** - Forwarding an IDAS Application to Subdivide One Lot into Two Lots and Access Easements at Lot 17 SP109081 - 29-31 King Street Kingaroy - Applicant/Owner: Trevor J & Heather M Harrison

Background:

Report Nos: (A32-A39)

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

Motion:

Moved Cr Trout seconded Cr Lehmann

That the report be received and adopted

Carried 10/0

- 6.2.5 **Mrs Mary E Somerville** - Forwarding submission and supporting reasons regarding proposed extensions of existing piggery at Lot 25 BO 204 Memerambi Gordonbrook Road

Background:

This letter will be addressed in the Development Assessment for the proposed Hyfarm Piggery Extensions.

Motion:

Moved Cr Trout seconded Cr Dalton

That consideration of the matter be deferred until the Hyfarm Piggery Extensions are considered by Council

Carried 10/0

- 6.2.6 **Bizarro Investments Pty Ltd** - Forwarding an application for Enquiry Preliminary - Multiple Dwelling Development - Six (6) Units at 18 Haly Street Kingaroy - Lot 91 RP885108 - Applicant: Bizarro Investments P/L; Owner: Sullivan & Errington

Background:

Report Nos: (A1-A4)

The Manager of Planning Services submitted a written report recommending that Council advise the applicant the lot is considered to be generally acceptable for unit development despite non-compliance with the policy provisions, subject to the following provisos:

- The development is maintained at a density in accordance with the Enquiry Preliminary proposal.
- Usable communal open space is provided in a central position.
- The communal open space is landscaped to a high standard and in accordance with crime prevention principles.

Motion:

Moved Cr Trout seconded Cr Dalton

That the report be received and adopted

Carried 10/0

- 6.2.8 **Grahame Taylor** - Requesting approval to erect a shed on a vacant block of land at Lot 56 Macaulay Drive Kingaroy

Background:

The proposed shed is to be used for domestic storage purposes prior to erection of a dwelling house. The request complies with the intent of Council's Policy for sheds on vacant allotments.

Motion:

Moved Cr Trout seconded Cr Moss

That the request be approved subject to use for domestic storage purposes only

Carried 10/0

- 6.2.9 **Minister for State Development and Innovation** - Forwarding Proposed Ministerial Designation - Surat Basin - Tarong Water Pipeline - submissions required by 20 October 2004.

Background:

This notice is a procedure prior to making a Community Infrastructure Designation. Council is required to maintain the Environmental Report on public display until 20 October 2004. The proposal is to construct a pipeline within the Tarong Rail Corridor to carry 3,500 ML/annum blowdown water from Tarong Power Station for reuse in slurring and processing coal at the proposed Glen Wilga coal mine. A 2 ha area is proposed for the construction of a 10 ML break tank within State Forest in Mannuem (Lot 66 BO 562), Kingaroy Shire west.

Motion:

Moved Cr Trout seconded Cr Lehmann

That the letter be received

Carried 10/0

6.3 General Business

6.3.1 Subdivision Engineering Inspection Fees

Background:

Report Nos: (A55)

The Deputy Director of Engineering Services submitted a written report recommending that Council amend its standard fees and charges for Subdivision – Engineering Inspection Fees to provide for a reduction in fees of 0.25% plus GST where the developer proposes to use a NATA registered authority to Vacuum Test sewers and manholes and pressure test the water mains in new developments

Motion:

Moved Cr Trout seconded Cr Lehmann

That the report be received and adopted

Carried 10/0

6.3.2 Application for Water & Sewerage Connection – Lot 72 RP 7915, River Road, Kingaroy

Background:

Report Nos: (A54)

The Director of Engineering Services submitted a written report recommending that:

- (a) The applicant contribute \$1,525.00 towards water supply headworks charges and \$1,312.00 towards Sewerage Headworks Contributions in accordance with Council's Water Supply and Sewerage Headworks Charges Policy; and
- (b) The applicant be advised that the basis of headworks charges imposed will be reassessed should any increase in magnitude of the development occur above the current vehicle storage proposal and they be required to enter into an agreement with Council to confirm their acceptance of this and a requisition be raised in Council's rate records

Motion:

Moved Cr Trout seconded Cr Dalton

That the report be received and adopted

Carried 10/0

7. WATER AND SEWERAGE SERVICES SECTION**7.1 Business Arising Out of Minutes**

Nil

7.2 Correspondence

- 7.2.1 Boyne Valley Irrigators** - Seeking Council's support for the planning and construction of regulating weirs in the Lower Boyne Valley irrigation area and enclosing a submission prepared by the irrigators in the valley in support of this request

Background:

Discussions have been taking place between the Boyne Valley Irrigators, the Department of Natural Resources and Tarong Energy over the last two (2) years regarding water supply issues in the Boyne River. This measure, ie the construction of regulating weirs in conjunction with downstream water efficiency measures below the Boondooma Dam has been proposed to improve proficiency of water management to the irrigation scheme.

Motion:

Moved Cr Dalton seconded Cr Moss

That the letter be received and Council support the concept of regulating weirs to assist the Boyne Valley Irrigators to manage water allocations in a more efficient manner

Carried 10/0

- 7.2.2 Department of Natural Resources - Bundaberg** - Forwarding Notice of Intent to Amend the Burnett Basin Resource Operations Plan - submissions close 22 October 2004

Background:

The Stuart River is part of the Burnett River Basin. Previously, the Burnett River Resources Operation Plan was gazetted in May 2003. However, the Boyne River Catchment including the Stuart River was not included.

This Notice of Intention to amend the ROP is for the inclusion of the Boyne River Catchment including the Stuart River and Council need to make a submission.

Motion:

Moved Cr Dalton seconded Cr Lehmann

That Council make a submission on the proposal to amend the Burnett Basin Resource Operations Plan

Carried 10/0

- 7.2.3 Local Government Association of Queensland Inc** - Requesting comments by 22 September 2004 regarding the State Government Proposal to Levy Water Management Charges

Background:

On 30 July the Department of Natural Resources and Mines released a Discussion Paper on Water Resource Charges in which the Queensland Government indicates that it is proposing to recover water management costs through User Charges.

The 1994 Council of Australian Governments (COAG) Water Resource Policy brought a commitment to charging on the basis of full economic costs of supply. Until now water issues such as scarcity premiums, externalities and resource management / monitoring costs have not been mentioned. This paper, in keeping with the COAG principles, indicates that some of these costs should be borne by water users.

Implementation of the proposals will mean substantial increases to Council costs.

- 7.2.4 **Local Government Association of Queensland Inc** - Forwarding a discussion paper on Water Resource Charges and requesting submissions prior to 30 September 2004

Background:

Queensland Government's proposed changes to water management costs.

Water Resource Charges will apply to supplemented water users as well as unsupplemented water users. Charges will not apply to water users that are not required to have a Water Licence including stock and domestic users with a Riparian Right to Take Water, Undeclared overland flow users and groundwater users in undeclared sub artesian areas and water collected in rainwater tanks. If the proposal does proceed and a charge of \$10 per mega litre of water is levied, Council would be up for a charge of \$16,800 per annum for its allocation from the Gordonbrook Dam.

For some years, Council has had an unwritten policy regarding paying for water from Gordonbrook Dam. This is that Council would object to any charge levied for water collected by the Gordonbrook Dam and its improvements at the cost of the ratepayers of the Shire and therefore at no cost to the Queensland Government.

The timeframe for submission is tight. However, Council should make a submission indicating its objection to the charges.

Motion:

Moved Cr Dalton seconded Cr Lehmann

That Council make a submission objecting to the introduction of Water Management Charges

Carried 10/0

7.3 **General Business**

7.3.1 **Directors Report – Water and Sewerage**

Background:

Report Nos: (B1-B3)

The Director of Engineering Services submitted a written report on activities undertaken during the period 19 August 2004 to 17 September 2004

Motion:

Moved Cr Dalton seconded Cr Ford

That the report be received

Carried 10/0

8. **HEALTH SERVICES SECTION**

8.1 **Business Arising Out of Minutes**

Nil

8.2 **Correspondence**

- 8.2.1 **Mr LC & Mrs ND Porter** - Requesting Council consider waiving the fees incurred for the "Flying Peanut Team" to hold sausage sizzles regularly outside the Club Hotel to raise funds for the Endeavour Foundation

Background:

The writers are requesting Council to waiver the footpath application fee of \$173.00. The sausage sizzles are proposed to be held every fortnight outside the Club Hotel with the profits being raised for the Endeavour Foundation. Does Council wish to offer a waiver? The other concern is what is the long term effect the BBQ activity will have to the condition of the footpath and side of the Hotel. There are more and more requests from community groups to hold BBQ's in the CBD. It may be an idea to consider designated locations for this type of activity with any alterations to the CBD.

Motion:

Moved Cr Trout seconded Cr Dalton

That Council not waive the footpath application fee as requested

Carried 8/2

- 8.2.2 **Review of Maternity Services in Queensland** - Inviting Council to make a submission regarding the Review of Maternity Services in Queensland

Background:

Does Council itself wish to provide its views and comments on existing and future care models? It may be more relevant for the matter to be delegated to a member of the Medical Workforce Committee for comment.

Motion:

Moved Cr Trout seconded Cr Ford

That the matter be referred to the Medical Services Committee for attention

Carried 10/0

8.3 **General Business**

8.3.1 **Directors Report – Health and Building**

Background:

Report Nos: (C1-C9)

The Director of Health & Building submitted a written report on the Department activities for the month of August 2004

Motion:

Moved Cr Lehmann seconded Cr Ford

That the report be received and it be noted that the public meeting on the transfer stations at Wooolin has been deferred until a date to be determined in November

Carried 10/0

8.3.1.1 *Waste Collection Service – Christmas Day*

Motion:

Moved Cr Ford seconded Cr Trout

That Council not provide a commercial refuse collection service on Christmas Day and that the Kingaroy Landfill be closed on this day

Carried 10/0

8.3.2 **Medical Services Committee Report**

Background:

Report Nos: (C10-C12)

Medical Services Committee met on 6 September 2004 and submits a report in accordance with the minutes of the meeting

Motion:

Moved Cr Trout seconded Cr Lehmann

That the report be received and adopted

Carried 10/0

9. **CORPORATE AND COMMUNITY SERVICES SECTION**

9.1 **Business Arising Out of Minutes**

Nil

9.2 **Correspondence**

9.2.1 **Industrial Registry** - Forwarding details regarding an application to amend the Trading Hours Order - Non Exempt Shops - Trading by Retail – State

Background:

This is an application to alter retail hours over the Christmas/New Year period. Unless Council wishes to make a specific submission it is suggested the letter be forwarded onto the Kingaroy Chamber of Commerce

Motion:

Moved Cr Shaw seconded Cr Ford

That the letter be received

Carried 10/0

- 9.2.2 **Kingaroy Netball Association** - Requesting exemption from payment of all application fees for current Building Applications before Council to erect poles for shadecovers on the Fisher Street block

Background:

Advice from Council's Building Services Section is that a building approval is not required to erect shadecovers at their courts in Fisher Street. However as the land is owned by the Council and leased to the Kingaroy Netball Association, approval is required from Council allowing them to install the shadecovers.

Motion:

Moved Cr Lehmann seconded Cr Ford

That permission be granted to erect the shade covers and the writers be advised that no fees are payable

Carried 10/0

- 9.2.3 **Department of Local Government & Planning** - Forwarding the Discussion Paper - Review of Department of Local Government Planning Sport and Recreation - Local Government Infrastructure Grant and Subsidy Programs.

- 9.2.9 **Local Government Association of Queensland Inc** - Requesting Council made a submission on the discussion paper regarding the review of the Local Government Infrastructure Grant and Subsidy Program by Friday 29 October 2004

Background:

At the request of the State Government the Department of Local Government Planning Sport & Recreation is currently undertaking a review of its existing Local Government infrastructure grant and subsidy programs many of which will conclude in June 2006. This includes the following programs:

- Advanced Wastewater Treatment Technologies Scheme (AWTT)
- Drought Stricken Local Government Urban Water Supply Assistance Scheme (DSLGUWSAS)
- Landfill Remediation Assessment Program (LRAP)
- Local Governing Bodies Capital Works Subsidy Scheme (LGBCWSS)
- Regional Centres Program (RCP)
- Roads and Drainage Grant

- Rural Living Infrastructure Program (RLIP)
- Security Improvement Program (SIP)
- Showgrounds Capital Works Subsidy Scheme (Showgrounds)
- Small Communities Assistance Program (SCAP)

As all the above programs directly affect the subsidies and grants we receive it is important for Council to make a submission on the relevant discussion paper which is due by 29 October 2004

Motion:

Moved Cr Ford seconded Cr Lehmann

That the matter be referred to Senior Staff to prepare a submission for presentation to the next meeting

Carried 10/0

- 9.2.4 **Rural Fire Service - Queensland Fire & Rescue Authority** - Advising at the Annual General Meeting of the Dangore Rural Fire Brigade held on 28 August 2004 a motion was passed to discontinue the collection and receipt of the Rural Fire Brigade Levy

Background:

Unfortunately, this letter was not received until after the levy had been run, consequently all properties in the Dangore Rural Fire Brigade Area have been charged the \$25 levy. Accordingly, Council is now faced with refunding the levy to approximately fifty (50) properties.

Motion:

Moved Cr Shaw seconded Cr Moss

That the letter be received and the necessary arrangements be made for reimbursement of levy

Carried 10/0

- 9.2.5 **Kingaroy Centenary Cricket Match Committee** - Requesting Council waive the fee to hire wheelie bins for the Bulls Country Challenge Cricket Match held on 12 September 2004

Background:

Council Policy adopted in 2002 states that we do not waive the fees for the hire of refuse bins for events or functions. However, at the August 2004 meeting Council agreed to make a donation to the Lions Club equal to the rental fee for the hire of refuse bins. The actual cost was \$135.80.

Motion:

Moved Cr Lehmann seconded Cr Ford

That a donation be made equal to the cost of the hire of refuse bins (\$135.80) and congratulations be forwarded to the Committee for the organisation of the Day

Carried 10/0

- 9.2.6 **Department of Local Government & Planning** - Forwarding Local Government Bulletin - Australian Equivalents to the International Financial Reporting Standards

Background:

As reported to Council last year, new International Financial Reporting Standards have been introduced effective from 1 July 2005. Unfortunately, the comparative figures in next years statements will also need to comply which means that some how this year's figures will need to be recorded in such a way so that they can be recast into next years statements.

Staff have already attended several workshops on the issue and will be attending the Accountants Conference in November, where a full session has been devoted to this issue.

Motion:

Moved Cr Ford seconded Cr Lehmann

That the letter be received

Carried 10/0

- 9.2.7 **Department of Natural Resources** - Advising that the Chief Executive has now approved that Kingaroy be revalued with the Annual Valuation Effective Date 30 June 2005

- 9.2.8 **Local Government Association of Queensland Inc** - Advising that Council will be one of the 64 Local Governments revalued as at 1 October 2004 and will be issued by 29 March 2005 for the 2005/2006 financial year

Background:

Kingaroy Shire was due for a revaluation last year, however, as a result of industrial action by the Department Valuers, this did not occur. Our last valuation was undertaken in 2001 and with the robust property market the Shire is currently experiencing it is timely that a revaluation is carried out.

Motion:

Moved Cr Ford seconded Cr Lehmann

That the letter be received

Carried 10/0

- 9.2.10 **Kingaroy State High School** – Seeking Council's assistance to enable the OPTI Minds Team to participate in the invitational demonstration event in New Zealand from 5-8 November 2004

Background:

Council's normal response to requests of this nature from individuals or groups is to offer them the Town hall free of charge to run a fund raising function. We also regularly support the High School by way of donating the hall rental for various school activities.

However, in June this year the Kingaroy High School Concert Band made it to the state finals of the Fanfare Competition. Council decided to make a cash donation of \$500 to the band based on the rationale that the Band provides a service to Council by performing at various community events.

Motion:

Moved Cr Trout seconded Cr Dalton

That the writers be offered the use of the Town Hall free of charge for a fund raising event

Carried 10/0

9.3 Monthly Financial Statements

Background:

The Director of Administration & Finance reported that due to technical reasons, monthly statements were unable to be produced for this meeting

Motion:

Moved Cr Lehmann seconded Cr Ford

That the Financial Statements for the period ended 31 August 2004 be considered in conjunction with the September Statements

Carried 10/0

9.4 General Business

9.4.1 Managers Report – Library Services

Background:

Report Nos: (D5)

The Manager of Library Services submitted a written report on activities for the month of August 2004

Motion:

Moved Cr Ford seconded Cr Lehmann

That the Manager of Library Services report be received and donors of books be thanked

Carried 10/0

9.4.2 Economic Development Advisory Body Report

Background:

Report Nos: (D22-D43)

The Economic Development Advisory Body reported in accordance with the meeting held on the 20 September 2004

Motion:

Moved Cr Campbell seconded Cr Lehmann

That the report be received and adopted

Carried 10/0

9.4.3 **October Council Meeting – Wooroolin**

Background:

It was decided at the August 2004 General meeting that the order for Country Council meetings for the duration of this Council would be Wooroolin, Kumbia, Chahpingah and Inverlaw and that the October 2004 meeting be held in Wooroolin.

Motion:

Moved Cr Dalton seconded Cr Shaw

That the October 2004 General meeting be held in the Little Ol' Church, Wooroolin

Carried 10/0

9.4.4 **Policy Review**

Background:

Report Nos: (D6-D18)

A review of Council's policies has not been undertaken since 1993. Accordingly, we are endeavouring to locate all our policies for a review by Council.

Rather than presenting to Council all our policies at one time we will be progressively bringing them to your attention over the next few months. Accordingly the Director of Administration & Finance has submitted a report on the progress to date.

Motion:

Moved Cr Ford seconded Cr Campbell

That the report be received

Carried 10/0

9.4.4.1 *Schedule of Policies Listed for Information*

Motion:

Moved Cr Ford seconded Cr Shaw

That the policies listed below for information be received:

- *Employees – Upgrade of Skills/Qualifications*
- *Borrowing Policy*
- *Competition Policy 2004/2005*
- *Corporate Card Policy*

- *Internal Audit and Audit Committee*
- *Networked Assets*
- *Purchasing Policy*
- *Valuation & Depreciation of Road Assets*
- *Bases & Principles of Sewerage & Cleansing Charges*
- *Bases & Principles of Water Utility Charges*
- *Cycle Billing of Water Usage Charges*
- *Declared Refuse Areas*
- *Exemption from Minimum General Rates – Contiguous Property Situated in Different Benefited Areas*
- *Exemption from Minimum General Rates – Organisations which perform a Public Service*
- *Exemption from Minimum General Rates – Permits to Occupy for Water Facility Purposes*
- *Exemption from Vacant Water & Sewerage Charges – New Subdivisions created after 1 July 2000*
- *Categories/Criteria for General Rating*
- *Discount on Rates*
- *Environmental Charge Concession*
- *Interest on Rates*
- *Overdue Rates*
- *Rating Exemption*
- *Rate Recovery*
- *Revenue Policy*
- *Sewerage Charge Concession*
- *Special Rates*
- *Special Rates Benefited Area*
- *Special Environmental Charge*
- *Special Rural Fire Charge*
- *Special Rural Fire Charge – Benefited Area*
- *Special Rural Fire Charge Concession*
- *Special Charge – Swickers*
- *Environmental Management Plans*
- *Family Subdivision*
- *Headworks Contribution – Sewerage Scheme*
- *Headworks Contribution – Water Supply*
- *Landscaping*
- *Multiple Dwelling Development*
- *Outbuildings in Residential Areas*
- *Parking Requirements*
- *Parks*
- *Permits to Slaughter Stock*

- *Proposed Land Uses or Areas for which Environmental Studies are required*
- *Rural Residential Subdivision*
- *Rural Subdivision*
- *Subdivision for Intensive Rural Pursuits*
- *Urban Residential Subdivision*
- *Library Internet Use Policy*
- *Maintenance Requirements of Constructed Footpaths*
- *Trade Waste Policy*

Carried 10/0

9.4.4.2 *Schedule of Policies Listed for Readoption by Council*

Motion:

Moved Cr Ford seconded Cr Shaw

That the following policies be reaffirmed and included in Councils Policy Register:

- *Corporate Rehabilitation Policy*
- *Employee Assistance Program Policy*
- *Employee Code of Conduct*
- *Noise in the Workplace*
- *Sexual Harassment in the Workplace*
- *Smoking in the Workplace*
- *Workplace Harassment Prevention Policy*
- *Workplace Health & Safety Management System Plan*
- *Workplace Health & Safety Policy*

Carried 10/0

9.4.4.3 *Schedule of Policies requiring Further Action by Council*

9.4.4.3.1 *Human Resources – Employee – State Emergency Service*

Motion:

Moved Cr Ford seconded Cr Lehmann

That the policy on employee participation in the State Emergency Service be amended as follows: -

Title: *Employee participation in Emergency Service Organisations*

Policy Objective: *To provide support to Council Staff who participate as members of various Emergency Service Organisations.*

Policy Statement: Council employees who are members of the following Emergency Service Organisations will be granted time off with pay to attend official emergency callouts:

- State Emergency Service
- Fire & Rescue Service
- Rural Fire Brigades
- Queensland Ambulance Service

Carried 10/0

9.4.4.3.2 *Finance – Disposal of Surplus Council Equipment / Goods*

Motion:

Moved Cr Moss seconded Cr Lehmann

That the policy be discontinued and Council abide by the provisions in the Local Government Act

Carried 10/0

9.4.5 **RADF Committee Report**

Background:

Report Nos: (D1-D2)

The Regional Arts Development Fund (RADF) Committee reported in accordance with the minutes of the meeting held on 25 August 2004

Motion:

Moved Cr Ford seconded Cr Lehmann

That the report be received and adopted

Carried 10/0

9.4.6 **Centenary of Kingaroy Committee Reports**

Background:

Report Nos: (D3)(D4)(D19-D20)

The Centenary of Kingaroy Committee reported in accordance with the minutes of the meetings held on 28 August 2004, 6 September 2004 and 20 September 2004

Motion:

Moved Cr Lehmann seconded Cr Ford

That the reports be received and adopted

Carried 10/0

9.4.6.1 *Future Music/Cultural Festival*

Background:

As a result of the success of the Picnic in the Park, many comments are being received about the possibility of an annual music/cultural festival.

The matter was discussed at the Centenary of Kingaroy Committee meeting on 20 September 2004 and many of the members would be prepared to participate in a committee to investigate such a future event.

Motion:

Moved Cr Campbell seconded Cr Shaw

That the Council meet with the Kingaroy Chamber of Commerce to further consider the promotion of events and conferencing in Kingaroy

Carried 10/0

9.4.7 **Unaudited Financial Statements**

Background:

Report Nos: (D44-D74)

The Manager of Finance submitted the Unaudited Financial Statements for the financial year 2003/2004

Motion:

Moved Cr Moss seconded Cr Ford

That the Unaudited Financial Statements for the financial year 2003/2004 be received

Carried 9/1

9.4.8 **Appointment of Delegates to next SBLGA Meeting**

Background:

The Mayor and Chief Executive Officer will not be able to attend the next meeting of the South Burnett Local Government Association meeting to be hosted by Rosalie Shire. Council will need to appoint alternative delegates and it is suggested that the Deputy Mayor, Cr Ford and the Director of Engineering Services be appointed to attend the meeting

Motion:

Moved Cr Moss seconded Cr Coleman

That Council appoint the Deputy Mayor, Cr Ford and the Director of Engineering Services to attend the meeting

Carried 10/0

9.4.9 **Rate Payment Statistics**

Background:

Director of Administration & Finance presented a report detailing statistics on rate collections

Motion:

Moved Cr Moss seconded Cr Shaw

That the report be received

Carried 10/0

ADJOURNMENT

Motion:

Moved Cr Lehmann

That the meeting adjourn until 1.30 pm

Carried 10/0

RESUMPTION

The meeting resumed at 1.40 pm

ATTENDANCE

Cr KR Nunn (Mayor), Crs WD Moss, MG Shaw, RC Coleman, BJ Carroll, WH Ford, MA Lehmann and KM Campbell

10. **WORKS AND SERVICES SECTION**

10.1 **Business Arising Out of Minutes**

Nil

10.2 **Correspondence**

- 10.2.1 **Australia Post - Kingaroy Delivery Centre** - Seeking permission to place a red depot bin in the area of Carroll nature reserve and request that council install a concrete slab for the placement of the facility

Background:

Australia Post are seeking approval for a Depot Bin to be placed in the Carroll Nature Area adjacent to Fisher Street to assist in their delivery operations to the "Hospital Hill" area of Kingaroy. It should be noted that this is not a Post Box but rather a Depot Bin for Postal Officers to store mail for their daily runs.

It is suggested that the installation of the bin in the reserve would be inappropriate. However, in order to assist Australia Post, it is suggested that it would be appropriate for the facility to be installed on Fisher Street, adjacent to the Carroll Nature Reserve.

Council is able to undertake the work and a Private Works charge would be made for this.

Motion:

Moved Cr Campbell seconded Cr Ford

That Council approve the installation in Fisher Street adjacent to Carroll Nature Area subject to the usual conditions

Carried 8/0

- 10.2.2 **Mr H Moore** - Forwarding complaint regarding the inadequate street lighting and no sealed road surface in North Street particularly in front of 1 North Street

Background:

Upgrading of the town street lighting system is on hold at this stage until further discussions can be arranged with Ergon Energy regarding their charges. If the upgrading project can be recommenced, North Street was planned for Year 5 of the programme.

At this stage North Street is not on the road construction programme, mainly due to the possibility of further development in the area and the lack of funding for construction.

Motion:

Moved Cr Campbell seconded Cr Ford

That the matter be referred to Area 4 Councillors for inspection with power to act

Carried 8/0

- 10.2.3 **Local Government Association of Queensland Inc** - Forwarding a Circular - LGAQ and Queensland Transport sign a new Memorandum of Understanding

Background:

A Memorandum of Understanding was signed between the Queensland Department of Transport and the Local Government Association in December 1998.

This Memorandum continues on from the previous Memorandum and promotes the importance of both groups in working together in planning and the provision of Transport Services and Infrastructure to Queensland communities.

Motion:

Moved Cr Campbell seconded Cr Ford

That the letter be received

Carried 8/0

- 10.2.4 **Local Government Association of Queensland Inc** - Forwarding a Circular - Review of the Aboriginal Land Act and the Torres Strait Islander Land Act - comments are sought on the Issues Paper by 30 November 2004

Background:

The Department of Natural Resources & Mines is reviewing the operation efficiency of the Aboriginal Land Act 1991 (Queensland) and the Torres Strait Islander Land Act 1991 (Queensland). Both of these acts provide for the transfer/grant of claimable land to aboriginal people or Torres Strait Islanders. The paper proposes a number of operational amendments to the legislation and these do not appear to impact on Council's interests

Motion:

Moved Cr Campbell seconded Cr Ford

That the letter be received

Carried 8/0

- 10.2.5 **AC Wittmann & MA Anderson** - Forwarding two (2) quotes to construct a fence on his property at 34 Walter Road, Kingaroy and requesting Council consider paying a percentage of the cost

Background:

Council receives requests for sharing of costs for fencing regularly. The Council Policy is that it will generally agree to pay 50% of the cost of a standard fence if the fence is on a boundary of Council Freehold land.

34 Walter Road adjoins the Walter Road Park which is Freehold land. A standard fence on the boundary (40.2m) is estimated to cost \$1,374. A 50% contribution would be \$687.00.

Motion:

Moved Cr Coleman seconded Cr Campbell

That Council agree to meet half the costs of a standard fence

Carried 8/0

- 10.2.6 **Department of Main Roads - Toowoomba** - Advising that Council's application for 2004/2005 Black Spot Funding at Kingaroy St/Avoca St; Youngman St/Avoca St and Youngman St/Markwell St where unsuccessful and that Council can resubmit the applications for the 2005/2006 program

Background:

Two (2) projects; the Youngman Street/Markwell Street intersection and the Kingaroy Street/Avoca Street intersection were submitted for funding in the 2004/2005 Black Spot Funding. The Youngman Street/Avoca Street Roundabout project was submitted for 2005/2006 Black Spot Funding. The advice that none of the projects have been successful is disappointing.

In order to resubmit the projects for funding a formal Road Safety Audit will be required of each of the intersections.

Motion:

Moved Cr Campbell seconded Cr Ford

That a Road Safety Audit of the Youngman Street / Markwell Street, Kingaroy Street / Avoca Street and Youngman Street / Avoca Street intersections be undertaken and each of the projects be submitted for consideration in the 2005/2006 Black Spot Programme.

Carried 8/0

10.3 General Business

10.3.1 Directors Report – Engineering Services

Background:

Report Nos: (E1-E6)

The Director of Engineering Services submitted a written report on work undertaken in the Roads, Drainage and Transport Services; Recreation & Sport; Engineering Management Services and Natural Resource Management for the period 20 August 2004 to 17 September 2004

Motion:

Moved Cr Campbell seconded Cr Ford

That the report be received

Carried 8/0

10.3.2 Department of Transport – Customer Parking

Background:

A request has been received from the Department of Transport to dedicate four (4) parking bays in front of their Kingaroy Street premises as short-term (30 minutes) customer parking. This request is as a result of a staff safety audit. Previously, Council has declined to agree to the dedication of parking bays for customer parking for the Department of Transport due to parking being at a premium in the Central Business District. Council has a policy of not dedicating on-street parking as customer parking for particular businesses.

Motion:

Moved Cr Campbell seconded Cr Coleman

That Council not approve the request and offer to discuss more suitable alternative sites

Carried 8/0

10.3.3 **Proposed Additional Area for Wooroolin Sportsground**

Background:

Report Nos: (E7-E9)

The Natural Resource Management Officer submitted a written report concerning the partnership with the Wooroolin Community Committee in implementing the Wooroolin Wetland Biodiversity and Enhancement project and recommending that Council seek approval from the Department of Natural Resources & Mines to have the proposed additional area included in the sportsground reserve

Motion:

Moved Cr Campbell seconded Cr Ford

That Council seek approval from the Department of Natural Resources & Mines to have the proposed additional area included in the sportsground reserve

Carried 8/0

10.3.4 **Electricity Supply to Canowindra**

Background:

Council has given approval to Ergon for an underground electricity supply to Canowindra Age Care Facility in Windsor Circle.

Ergon has requested consideration be given to allowing the supply to be above ground in Buckingham Street and below ground in Windsor Circle

Motion:

Moved Cr Campbell seconded Cr Ford

That Council agree to the electrical supply to Canowindra Aged Care facility being above ground in Buckingham Street and under ground in Windsor Circle

Carried 8/0

11. **RURAL COMMUNITIES AND ENVIRONMENTAL SERVICES SECTION**

11.1 **Business Arising Out of Minutes**

Nil

11.2 **Correspondence**

- 11.2.1 **Office of the Gene Technology Regulator** - Forwarding request for comment on the revised risk analysis framework. The consultation process will parallel that undertaken for licence applications for dealings involving intentional release (DIR) of GMOs into the environment

Background:

Council has consistently objected to the release of genetically modified organisms into our area unless it could be conclusively proven by an Independent Authority that there will be no harmful impact on our Community and in particular accidentally contaminating conventional crops as has happened overseas.

It has also been raised by Councillors that the risk assessment process does not take into account the potential economic impacts the release of genetically modified organisms may create in the future on our rural industries.

It appears that the revised risk analysis framework will continue to ignore our concerns.

Motion:

Moved Cr Carroll seconded Cr Campbell

That the letter be received

Carried 8/0

- 11.2.2 **Minister for Primary Industries** - Advising the Minister will not approve the application to have Kingaroy Shire's drought declaration reinstated unless prior approval is received from the responsible Local Drought Committee

Background:

Unless Council wishes to object to the Kingaroy Local Drought Committees recommendation to have Kingaroy Shire removed from the drought declared status there is no further action required.

Motion:

Moved Cr Carroll seconded Cr Campbell

That the letter be received and a Representative of the Department of Primary Industries be invited to address Council on the issue

Carried 8/0

- 11.2.3 **Local Government Association of Queensland Inc** - Requesting comments by Friday 24 September 2004 regarding any suggested amendments to the Nature Conservation Regulation 1994

Background:

Council has the opportunity to comment on the permits, licences, and offences for controlling camping, vehicles, stock, dogs on protected areas defined by the Nature Conservation Act.

The restrictions outlined in the Regulation are to ensure that protected areas are not damaged, destroyed or mismanaged by inappropriate use and access to these high conservation or protected areas.

There are no additional comments or recommendations for any changes at this time

Motion:

Moved Cr Carroll seconded Cr Lehmann

That the letter be received

Carried 8/0

11.3 General Business

11.3.1 Managers Report – Rural Services

Background:

Report Nos: (F1)

The Manager of Rural Services submitted a written report on his duties for the period ended 14 September 2004

Motion:

Moved Cr Carroll seconded Cr Moss

That the report be received and adopted

Carried 8/0

11.3.2 Wooroolin Wetland Feral Pig Sightings and Control Program

Background:

Report Nos: (F2)

The Natural Resource Management Officer submitted a written report on feral pigs at the Wooroolin Wetland and recommending that a 3-month feral pig trapping and destroying program be integrated over the wetland, private property, and state forest. This program will involve a partnership approach between Council, landholders, DNRM Land Protection Officer, and State Forest Rangers. Also Council's NRM officer to coordinate the Green Corps work team to undertake Groundsel bush control.

Motion:

Moved Cr Carroll seconded Cr Lehmann

That a 3-month feral pig trapping and destroying program be integrated over the wetland, private property, and state forest, the program to involve a partnership approach between Council, landholders, DNRM Land Protection Officer, and State Forest Rangers and Council's NRM officer coordinate the Green Corps work team to undertake Groundsel bush control

Carried 8/0

11.3.3 **Second Application for Green Corps Project (January to July 2005)**

Background:

Report Nos: (F3)

The Natural Resource Management Officer submitted a written report on the Green Corps Project and recommending that Council endorse the development of a new Green Corps project application and support the activities proposed.

Motion:

Moved Cr Carroll seconded Cr Ford

That Council endorse the development of a new Green Corps project application and support the activities proposed.

Carried 8/0

11.3.4 **Burnett Mary Regional Group NRM Plan Comments**

Background:

Report Nos: (F4-F7)

The Natural Resource Management Officer submitted a written report on the Burnett Mary Regional Group Natural Resource Management Plan and recommending that Council endorse comments and forward report to Burnett Mary Regional Group for Natural Resource Management and forward a copy to all South Burnett Local Government Authorities for their information.

Motion:

Moved Cr Carroll seconded Cr Lehmann

That Council endorse the comments and forward the report to the Burnett Mary Regional Group for Natural Resource Management and a copy to all South Burnett Local Government Authorities for their information.

Carried 8/0

11.3.5 **Local Government Association Queensland, Environment Conference**

Background:

Report Nos (F8-F9)

The Natural Resource Management Officer submitted a written report on attendance at the Local Government Association Queensland Environment Conference held in Cairns in July 2004

Motion:

Moved Cr Carroll seconded Cr Campbell

That the report be received

Carried 8/0

12. **MAYOR'S MINUTES**

12.1 **Mayor's Report**

Background:

Report Nos: (G1-G11)

The Mayor presented his monthly report covering the period 26 August 2004 to 24 September 2004

Motion:

Moved Cr Campbell seconded Cr Lehmann

That the Mayors report be received

Carried 8/0

13. **GENERAL BUSINESS**

There being no further business the meeting was declared closed

Confirmed before me this day of 2004.

MAYOR