

Minutes of the meeting of the Kingaroy Shire Council, held in the Council Chambers, Glendon Street, Kingaroy on Thursday, 27 January 2005 at 9.00 am.

PRESENT

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

1. **LEAVE OF ABSENCE**

Nil

2. **PRAYERS AND CONDOLENCES**

A motion of sympathy was passed to the relatives of the late TC Jackson, FO Condon, M Schulz, HW Middis, LG Young, H Bliesner, D Webb and ELL Robb

3. **ADDRESS FROM PUBLIC GALLERY**

Nil

4. **RECEIPT OF PETITIONS**

Nil

5. **CONFIRMATION OF MINUTES**

Motion:

Moved Cr Lehmann seconded Cr Coleman

That the minutes of the previous meeting held on Thursday, 16 December 2004 as recorded be confirmed.

Carried 11/0

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

SEE BUSINESS FUNCTION HEADINGS

6. **PLANNING AND DEVELOPMENT SERVICES SECTION**

DECLARATION

The mayor declared an interest in the following matters and left the meeting. The deputy Mayor assumed the Chair

6.1 **Business Arising Out of Minutes**

- 6.1.1 **Graham Bickerton** - Forwarding an IDAS Application - Reconfiguring a Lot - Family Lot Subdivision - One Lot into Two Lots at 8293 Bunya Highway Kumbia - Lot 1 RP31887 - Applicant: Graham Bickerton; Owner: A Bickerton Pty Ltd

6.2 **Correspondence**

- 6.2.21 **O'Reilly Nunn Favier** - Forwarding an IDAS Application - Reconfiguring a Lot - Realignment of a Boundary at Maize Company Road & Bunya Highway Kumbia - Lot 1 RP31887 & Lot 103 FY452 - Applicant: Graham Bickerton; Owner: RM & HM Unverzagt and A Bickerton Pty Ltd

Background:

Report Nos: (A38-A43)

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 Fleischfresser

That the report be received and adopted

Carried 10/0

ATTENDANCE

Cr Kev Woods left the meeting

6.1 Business Arising Out of Minutes (Cont)

- 6.1.2 **The Planning Place** - Forwarding further information in relation to their request for a negotiated settlement-Material Change of Use-Rural to Residential & Industrial L10 RP204229 & part L12 RP204229-Applicant: Pegasus Finance & Land P/L

Background:

Report Nos: (A34-A37)

The Manager of Planning Services submitted a written report recommending that Council offer "Without Prejudice" advice

Motion:

Moved Cr Trout seconded Cr Fresser

That the report be received and adopted

Carried 9/0

- 6.1.3 **Richard Vanderstraaten** - Forwarding an IDAS Application - Reconfiguring a Lot - (One Lot into Two Lots) - Lot 7 RP145218 - 11 Burkes Road Kingaroy - Applicant/Owner: Richard William Vanderstraaten

Background:

Report Nos: (A24-A28)

The Manager of Planning Services submitted a written report recommending that Council refuse the application and provide reasons.

Motion:

Moved Cr Trout seconded Cr Shaw

That Council issue a Development Permit (Reconfigure of Lot) subject to the following conditions and advice:

Reconfigure a Lot (Development Permit)**RaL 1 Electricity**

The developer shall reticulate electricity to the development in accordance with the relevant Australian Standards and to the minimum standards specified below:

*Undergrounding required: No
Street lighting required: No
Road Categories (AS1158): N/A
Variations to AS1158: Nil*

Written confirmation from the electricity authority, that all matters relating to the reticulation of electricity and installation of street lighting (where provided) including electrical civil works have been completed, shall be provided to Council prior to sealing the Survey Plan.

Advice

The developer is encouraged to discuss the development with Ergon Energy upon receipt of this approval to facilitate the timely supply of electricity to the development. Connection of electricity can take up to eight (8) months from the date of application to Ergon Energy.

RaL 2 Telstra

The applicant shall notify Telstra of the development by forwarding at least two copies of the Survey Plan to:-

*Telstra
Devfore Group
Locked Bag 3550
BRISBANE Q 9008*

The applicant shall supply any further information requested by that authority. Prior to sealing the Survey Plan, the applicant shall supply to Council written proof from Telstra that they have been notified of the development.

RaL 3 Lot Access

The developer shall construct a gravel access from the road pavement to the property entrance in general accordance with KSC Standard Drawing No. 10231 (attached) and to the satisfaction of the Chief Executive Officer. The minimum depth of gravel shall be 75mm. Should the access require a piped crossing point, the pipe shall be a minimum of 375mm diameter reinforced concrete pipe or larger to the satisfaction of Council.

ADVICE

The area represented by proposed Lot 28 is identified in Council's Draft Planning Scheme as a medium/high risk potential fire hazard area. Please refer to the attached Draft Scheme extract for information on managing the potential fire hazard to a low risk hazard.

Part of proposed Lot 28 is designated under the Vegetated Management Act as "Not of Concern" and "Dominant of Concern" regional ecosystem. Please contact the Department of Natural Resources and Mines prior to any clearing, for advice on any permits required.

ATTENDANCE

Cr Kev Woods returned to the meeting

DECLARATION

Cr Cheryl Dalton declared an interest in the following matter and left the meeting

- 6.1.4 **Mr J & Cr CD Dalton** - Requesting permission to have two dwelling houses on one property at Lot 161 FY1635 - 12472 Bunya Highway Wooroolin for the intention of building a new house and relocation of workers accommodation

Background:

Report Nos: (A1-A2)

The Manger of Planning Services submitted a written report recommending that in principle approval be granted for a second dwelling subject to advice.

Motion:

Moved Cr Trout seconded Cr Fresser

That the report be received and adopted

Carried 9/0

Attendance

Cr Cheryl Dalton returned to the meeting

6.2 Correspondence (Cont)

- 6.2.2 **Fred Dahms** - Lodging an objection to the proposed IDAS Application - Wine Tourism Facility and Community Management Scheme Subdivision - (1Lot into 74 Lots plus Common Property) - Lot 1 RP36985 Weens Road - Applicant: Frederick D Butler
- 6.2.3 **Graham L and Melody A Black** - Lodging an objection to the proposed IDAS Application - Wine Tourism Facility and Community Management Scheme Subdivision - (1 Lot into 74 Lots plus Common Property) - Lot 1 RP36985 Weens Road - Applicant: Frederick D Butler
- 6.2.4 **KT & DF Liesegang** - Lodging an objection to the proposed IDAS Application - Wine Tourism Facility and Community Management Scheme Subdivision - (1Lot into 74 Lots plus Common Property) - Lot 1 RP36985 Weens Road - Applicant: Frederick D Butler
- 6.2.5 **Peter Ploetz** - Lodging an objection to the proposed IDAS Application - Wine Tourism Facility and Community Management Scheme Subdivision - (1Lot into 74 Lots plus Common Property) - Lot 1 RP36985 Weens Road - Applicant: Frederick D Butler
- 6.2.6 **Janine Ploetz** – Lodging an objection to the proposed IDAS Application - Wine Tourism Facility and Community Management Scheme Subdivision - (1Lot into 74 Lots plus Common Property) - Lot 1 RP36985 Weens Road - Applicant: Frederick D Butler
- 6.2.7 **Phillip V & Margaret E Bowman** - Lodging an objection to the proposed IDAS Application - Wine Tourism Facility and Community Management Scheme Subdivision - (1Lot into 74 Lots plus Common Property) - Lot 1 RP36985 Weens Road - Applicant: Frederick D Butler

- 6.2.8 **Kevin Krosch** - Lodging an objection to the proposed IDAS Application - Wine Tourism Facility and Community Management Scheme Subdivision - (1Lot into 74 Lots plus Common Property) - Lot 1 RP36985 Weens Road - Applicant: Frederick D Butler
- 6.2.9 **Wendy Krosch** - Lodging an objection to the proposed IDAS Application - Wine Tourism Facility and Community Management Scheme Subdivision - (1Lot into 74 Lots plus Common Property) - Lot 1 RP36985 Weens Road - Applicant: Frederick D Butler
- 6.2.10 **Norma Pedler** - Lodging an objection to the proposed IDAS Application - Wine Tourism Facility and Community Management Scheme Subdivision - (1Lot into 74 Lots plus Common Property) - Lot 1 RP36985 Weens Road - Applicant: Frederick D Butler
- 6.2.12 **Pratt Air Services** - Lodging an objection to the proposed IDAS Application - Wine Tourism Facility and Community Management Scheme Subdivision - (1 Lot into 74 Lots plus Common Property) - Lot 1 RP36985 Weens Road - Applicant: Frederick D Butler

Background:

To be considered in conjunction with the IDAS Application - Wine Tourism Facility and Community Management Scheme Subdivision.

Motion:

Moved Cr Trout seconded Cr Fleischfresser

That the letters be deferred for consideration with the Development Assessment Report.

Carried 10/0

- 6.2.13 **O'Reilly Nunn Favier** - Forwarding an IDAS Development Application - Family Lot Subdivision - 646 Kearney's Road, Kumbia - Lot 67 on FY452. Owner: Colin & Glenda Banks. Applicant: O'Reilly Nunn Favier

Background:

Assessment of the application is not yet complete, and further advice is being awaited from the applicant.

Motion:

Moved Cr Trout seconded Cr Fleischfresser

That consideration of the matter be deferred until the February Council meeting.

Carried 10/0

- 6.2.15 **O'Reilly Nunn Favier** - Forwarding an IDAS Development Application to Reconfigure Boundaries in two stages and Material Change of Use for Evelyn St, Hodge St and Harris Road, Kingaroy. Applicant: O'Reilly Nunn Favier Owner: Traprock Pty Ltd

Background:

Outstanding procedures include information request and response and public notification.

Motion:

Moved Cr Fleischfresser seconded Cr Shaw

That consideration of the matter be deferred until the required procedures are complete.

Carried 10/0

- 6.2.16 **O'Reilly Nunn Favier** - Forwarding an IDAS Development Application to Reconfigure a Lot - Stage 2 Oasis Gardens Estate - Kingaroy Street, Kingaroy - Part of Lot 1 RP7939. Owner: Pegasus Finance & Land Pty Ltd. Applicant: Frederick Daniel Butler

Background:

Report Nos: (A15-A23)

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

Motion:

Moved Cr Trout seconded Cr Fleischfresser

That the report be received and adopted

Carried 10/0

- 6.2.22 **O'Reilly Nunn Favier** - Forwarding an IDAS Application for Reconfiguration of Boundaries - One Lot into Two Community Title Lots & Common Property - Lot 16 RP855131 Kurtellen Crescent - Applicant/Owner: John & Katherine Tosswill

Background:

A report has not been prepared for this meeting.

Motion:

Moved Cr Trout seconded Cr Fleischfresser

That consideration of the matter be deferred until the February Council meeting.

Carried 10/0

- 6.2.28 **O'Reilly Nunn Favier** - Forwarding an IDAS Application - Material Change of Use - Multiple Unit Dwellings - Proposed Lot 140 SP172018 (Lot 102 SP141684) Tessmanns Road Kingaroy - Applicant/Owner: Sunshine North Pty Ltd

Background:

Outstanding procedures include public notification

Motion:

Moved Cr Fleischfresser seconded Cr Shaw

That consideration of the matter be deferred until the required procedures are complete

Carried 10/0

- 6.2.29 **O'Reilly Nunn Favier** - Forwarding an IDAS Application - Material Change of Use - Multiple Unit Dwellings - Proposed Lot 141 SP172018 (Lot 102 SP141684) Tessmanns Road Kingaroy - Applicant/Owner: Sunshine North Pty Ltd

- 6.2.30 **O'Reilly Nunn Favier** - Forwarding an IDAS Application - Material Change of Use - Multiple Unit Dwellings - Lot 57 RP37003 Burnett Street Kingaroy - Applicant/Owner: Michael S & Megan Z Heiner

Background:

Outstanding procedures include public notification

Motion:

Moved Cr Trout seconded Cr Fleischfresser

That consideration of the matter be deferred until the required procedures are complete

Carried 10/0

ATTENDANCE

The Mayor returned to the Meeting and resumed the Chair

6.1 Business Arising Out of Minutes (Cont)

- 6.1.5 **Kimmorley & Associates Pty Ltd** - Forwarding IDAS Application – Reconfiguring a Lot - Family Transfer Lot Subdivision at 5251 Bunya Mountains Road Kumbia - Lot 63 FY719 - Applicant: Kimmorley & Associates P/L; Owner: Robert J & Noreen M Kennedy

Background:

Report Nos: (A29-A33)

The Manager of Planning Services submitted a written report recommending that subject to completion of public notification and no submissions being received objecting to the application, authority be delegated to the Mayor to issue a Development Permit (Material Change of Use and Operational Works) subject to conditions and advice.

Motion:

Moved Cr Trout seconded Cr Moss

That the report be received and adopted

Carried 11/0

- 6.1.6 **Gregory RM & Kelly L Taffe - Taffe's Wine & Roses Homestead** - Forwarding an IDAS Application - Cellar Door/ Bed & Breakfast/ Light Meals & Wine Tastings at 849 Burrandowan Road Inverlaw - Lot 1 RP869396 - Applicant/Owner: Greg & Kelly Taffe (Taffe's Wine & Roses Homestead)

Background:

Report Nos: (A3-A14)

The Manager of Planning Services submitted a written report recommending that subject to completion of notification procedures and no submissions being made the Mayor be authorised to issue a Development Permit subject to conditions and advice

Motion:

Moved Cr Trout seconded Cr Fleischfresser

That the report be received and adopted subject to the inclusion of advice of the proximity of an intensive piggery which has a right of continuance

Carried 11/0

Attendance

Cr Moss left the meeting

6.2 Correspondence

- 6.2.1 **Recyclin R Us - Jason Haim** - Forwarding an IDAS application for Scrap Metal Recovery/Recycling at 103 River Road, Kingaroy - Lot 3 on RP844448 - Applicant: Recycling R Us; Owner: Dennis & Janice Seng

Background:

Outstanding procedures include public notification.

Motion:

Moved Cr Trout seconded Cr Coleman

That consideration of the matter be deferred until the required procedures are complete.

Carried 10/0

- 6.2.11 **Thomas W Lambert** - Forwarding an IDAS Application - Reconfiguring a Lot - Family Subdivision - One Lot into Two Lots at 136 Old Cooyar Road Goodger - Lot 79 FY929 - Applicant/Owner: Tom Lambert

Background:

Report Nos: (A46-A49)

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

Motion:

Moved Cr Trout seconded Cr Fleischfresser

That the report be received and adopted

Carried 10/0

ATTENDANCE

Cr Moss returned to the meeting

- 6.2.14 **Alex Enborisoff Architects** - Forwarding an IDAS Development Application for Material Change of Use (MCU) to establish a retirement village (43 two bedroom villas & managers residence) on the corner of Youngman Street and Banksia Drive - Lot 2 RP807384

Background:

Outstanding procedures include information request and response, Department of Main Roads referral and public notification.

Motion:

Moved Cr Trout seconded Cr Fleischfresser

That consideration of the matter be deferred until the required procedures are complete.

Carried 11/0

- 6.2.17 **Bizarro Investments Pty Ltd** - Forwarding an IDAS Development Application for Material Change of Use for Multiple Dwelling Units at 18 Haly Street, Kingaroy - Lot 91 RP885108. Owner/Applicant: Bizarro Investments Pty Ltd

Background:

Outstanding procedures include Department of Main Roads referral and public notification.

Motion:

Moved Cr Trout seconded Cr Fleischfresser

That consideration of the matter be deferred until the required procedures are complete

Carried 11/0

- 6.2.18 **Local Government Association of Queensland Inc** - Requesting submissions by 28 January 2005 on the sustainable housing in Queensland and Regulatory Impact Statement released by the State Government

Background:

Unless Council wishes to make a comment no response is required.

Motion:

Moved Cr Fleischfresser seconded Cr Moss

That the letter be received

Carried 11/0

- 6.2.19 **Eric King** - Requesting the inclusion of 'Sidney Street' on Council's register of street names for the future naming of a street in memory of his father Sidney King

Background:

The Manager of Planning Services advised that Sidney Street or similar derivations is not currently in use in Kingaroy Shire.

Motion:

Moved Cr Trout seconded Cr Lehmann

That the name be included in the register of street names for future subdivisions

Carried 11/0

- 6.2.20 **Mr Andrew Hamilton** - Forwarding an Enquiry Preliminary to Formal Application to Subdivide Lot 67 RP7946 into four (4) blocks at 15 First Avenue Kingaroy

Background:

A report has not been prepared for this meeting.

Motion:

Moved Cr Lehmann seconded Cr Trout

That consideration of the matter be deferred to the February Meeting

Carried 11/0

- 6.2.23 **King & Company** - Forwarding a copy of the sealed Order made by the Planning & Environment Court in the Appeal - Kingaroy Shire Council -v- Bimgold Pty Ltd & Big Mall Pty Ltd

Background:

Following negotiations between Council and Bimgold and Bigmall, the matter has now been finalised through the court and the approval is now effective.

Motion:

Moved Cr Trout seconded Cr Fleischfresser

That the letter be received

Carried 11/0

- 6.2.24 **Greg & Maxine Green** - Lodging a Submission in relation to the Draft Kingaroy Planning Scheme with regards to proposed Beekeeping provisions

Background:

The Manager of Planning Services advised that Beekeeping provisions have been reviewed in consultation with a representative from the industry. A detailed report and recommendation will be presented following closure of the Public Display period.

Motion:

Moved Cr Trout seconded Cr Fleischfresser

That the matter be deferred for further consideration following the closure of the public display period

Carried 11/0

- 6.2.25 **Trevor & Wendy Turner - South Burnett Fabrications** - Requesting a relaxation on the rules concerning required distance from side boundary from 3 metres to 1.5 metres after placing correct fire wall at 57 Alexander Street Wooroolin for the construction of a storage shed and office

Background:

Council issued an approval in July 2002 for a development of the site. Given the information provided in the correspondence there is no objection to Council granting a relaxation to allow the shed to be site 1.5 metres from the side boundary.

Motion:

Moved Cr Trout seconded Cr Fleischfresser

That the request be approved

Carried 11/0

- 6.2.26 **Edward A & Colleen S Just** - Forwarding an IDAS Application - Material Change of Use at Lot 482 FY2726 & Environmentally Relevant Activity at Lot 3 RP179279 & Lot 482 FY2726 for Auto Dismantling & Scrap Metal Applicant: EA Just

Background:

Outstanding procedures include public notification

Motion:

Moved Cr Trout seconded Cr Shaw

That consideration of the matter be deferred until the required procedures are complete

Carried 11/0

- 6.2.27 **Mr Russell & Mrs Diane Lebsanft** - Requesting approval of an application for the construction of a shed at 8 Bella Vista Avenue Kingaroy - Lot 107 RP190277 - for domestic purposes only

Background:

Report Nos: (A44-A45)

The Manager of Planning Services submitted a written report recommending that Council accede to the request subject to the shed being used for domestic storage purposes only.

Motion:

Moved Cr Fleischfresser seconded Cr Trout

That the report be received and adopted

Carried 11/0

- 6.2.31 **Buckley Vann** - Forwarding IDAS Application - Development Permit for MCU & RAL - Lot 61 RP199753 & Lot 2 RP98786 Clark & Swendsons Road - 2 Lots into 55 Lots plus balance area & Preliminary Application for Future Stages - Applicant/Owner: R & L Boyce

Background:

Outstanding procedures include information request and response, referral agency assessment and public notification

Motion:

Moved Cr Trout seconded Cr Fleischfresser

That consideration of the matter be deferred until the required procedures are complete

Carried 11/0

- 6.2.32 **Robert S & Nellie T Sheppard** - Forwarding a submission in regards to the Draft Planning Scheme and an objection to the non-existence of waste management areas on the eastern side of Kingaroy

Background:

For consideration with the planning scheme review

Motion:

Moved Cr Dalton seconded Cr Lehmann

That the matter be deferred for further consideration following the closure of the public display period

Carried 11/0

- 6.2.33 **Nelson R & Lynette J Dimond** - Forwarding a submission in regards to the Draft Planning Scheme and an objection to the non-existence of waste management areas on the eastern side of Kingaroy

Background:

For consideration with the planning scheme review

Motion:

Moved Cr Moss seconded Cr Lehmann

That the matter be deferred for further consideration following the closure of the public display period

Carried 11/0

- 6.2.34 **St John's Lutheran Primary School** - Lodging a submission in respect of the Kingaroy Shire Council Draft Planning Scheme

Background:

For consideration with the planning scheme review

Motion:

Moved Cr Trout seconded Cr Lehmann

That the matter be deferred for further consideration following the closure of the public display period

Carried 11/0

- 6.2.35 **Noel V & Janette O Barsby** - Lodging a submission in relation to the Draft Planning Scheme and requesting that a Waste Transfer Station be included in the Strategic Framework Kingaroy Shire Outline Map

Background:

For consideration with the planning scheme review

Motion:

Moved Cr Trout seconded Cr Moss

That the matter be deferred for further consideration following the closure of the public display period

Carried 11/0

- 6.2.36 **Janet M Connell** - Lodging a submission in relation to the Draft Planning Scheme and requesting that a Waste Transfer Station be included in the Strategic Framework Kingaroy Shire Outline Map

Background:

For consideration with the planning scheme review

Motion:

Moved Cr Shaw seconded Cr Carroll

That the matter be deferred for further consideration following the closure of the public display period

Carried 11/0

6.3 **General Business**

Nil

7. **WATER AND SEWERAGE SERVICES SECTION**

7.1 **Business Arising Out of Minutes**

Nil

7.2 **Correspondence**

- 7.2.1 **Department of Natural Resources** - Forwarding details of proposed amendments to the Water Act 2000 in relation to system leakage management plans and drought management strategies

Background:

The State Government in consultation with the Local Government Association of Queensland and the Queensland Water Directorate has developed two additional proposals to assist in water use efficiency for Queensland water service providers. Amendments to the Water Act 2000 to allow implementation of these initiatives have been proposed.

Awareness sessions for the amendments are planned in February and March. Submissions on the Water Act 2000 amendments can then be made if necessary.

Motion:

Moved Cr Campbell seconded Cr Lehmann

That Cr Dalton and relevant staff be authorised to attend the proposed workshops

Carried 11/0

- 7.2.2 **Minister for Environment Local Government & Planning** - Requesting comments by Friday 25 February 2005 in relation to the introduction of legislation this year that will enable Queenslanders to use domestic greywater in seweraged areas for irrigating gardens and lawns

- 7.2.4 **Building Codes Queensland** - - Requesting Council's comments by Friday 25 February 2005 in relation to the proposed changes to plumbing laws to allow homeowners to use greywater in sewerred areas.

Background:

The use of grey water for domestic use in sewerred and unsewerred areas has long been a contentious issue with competing views from public health practitioners and the water conservation movement. In the current and impending water shortages, improved use of all forms of water, including grey water and storm water is critical to minimise impacts on our current water sources. There are a number of issues to be considered and I would suggest that a small working group be established to provide our response.

Motion:

Moved Cr Campbell seconded Cr Lehmann

That a working group consisting of Cr Dalton, Cr Fleischfresser and Cr Nunn, Water and Sewerage Engineer, Plumbing Inspector and Environmental Health Officer prepare a response to the issue.

Carried 11/0

- 7.2.3 **Department of Natural Resources & Mines** - Requesting Council's comment regarding the assessment of existing Water Licences on Gordonbrook Dam as part of the process to include them in an amended Burnett Basin Resource Operations Plan

Background:

Council was visited by DNR staff discussing the issue of Irrigation and Water Harvesting Licences on the Stuart River in early January and in particular area irrigation licences on Gordonbrook Dam.

The Department have pointed out the options in their letter.

Motion:

Moved Cr Moss seconded Cr Dalton

That Council recommend that the water licences be changed to allocations subject to conditions contained in Council's letter to the Queensland Water Resources Committee dated 3 December 1987

Carried 11/0

7.3 **General Business**

7.3.1 **Directors Report – Water and Sewerage**

Background:

Report Nos: (B1-B3)

The Acting Director of Engineering Services submitted a written report on activities undertaken during the period 10 December 2004 to 14 January 2005

Motion:

Moved Cr Moss seconded Cr Dalton

That the report be received

Carried 11/0

ADJOURNMENT

Motion:

Moved Cr Lehman

That the meeting adjourn for ten minutes

Carried 11/0

RESUMPTION

The meeting resumed at 10.54am with attendance as previous to the Adjournment

8. HEALTH SERVICES SECTION

8.1 Business Arising Out of Minutes

Nil

8.2 Correspondence

- 8.2.1 Queensland Health** - Requesting Council give positive consideration to opting in to the enforcement program for the outdoor places provisions of the new Tobacco and Other Smoking Products Amendment Act 2004

Background:

Queensland Health have advised of a small grants program to assist Local Governments who may wish to take up some enforcement provisions of the recently introduced legislation. No details are provided at this time of what the small grants program will be worth to those Councils that may be interested.

Motion:

Moved Cr Trout seconded Cr Shaw

That the letter be received

Carried 11/0

8.3 General Business

8.3.1 Directors Report – Health and Building

Background:

Report Nos: (C1-C4)

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

Motion:

Moved Cr Fleischfresser seconded Cr Shaw

That the report be received

Carried 11/0

8.3.2 Nightsoil Depot Issues Paper

Background:

Report Nos (C5-C11)

The Director of Health and Building submitted a written report on Nightsoil Depot Issues recommending that

- a) Council investigate the installation of a pre-treatment facility at the Sewerage Treatment Plant for the Treatment of grease trap waste, septic tank pump out waste and oily waters;
- b) A user pay fee be investigated for premises who generate waste and;
- c) The operators be advised of the report and subsequent recommendations.

Motion:

Moved Cr Fleischfresser seconded Cr Shaw

That the report be received and adopted

Carried 11/0

8.3.3 Tipping fees at the Kingaroy Landfill

Background:

Report Nos: (C12-C16)

The Director of Health and Building submitted a written report on the Introduction of supervision and tipping fees at the Kingaroy Landfill recommending that:

- a) A media release be prepared advising the community on the introduction of supervision, commercial tipping fees and the various improvements that are being proposed for the Kingaroy Landfill and;
- b) Council advertise for a Supervisor of the Kingaroy Landfill based on the revised landfill operating hours and tipping fees proposed in the report

Motion:

Moved Cr Fleischfresser seconded Cr Shaw

That the report be received and adopted

Carried 11/0

8.3.4 Memerambi Transfer Station

Background:

Report Nos: (C17-C18)

The Director of Health and Building submitted a written report on tipping hours at the Memerambi Transfer Station recommending that:

- a) Council advertise for the position of Supervisor of the Memerambi Transfer Station;
- b) The recommended hours for the transfer station be Saturday, Sunday, Tuesday and Thursday from 1.00pm to 5.00pm with the facility being closed on public holidays and;
- c) Those in attendance at the recent public meeting be advised, a media release be prepared for publication in the South Burnett Times and a newsletter be developed and distributed to the community affected by the proposed changes.

Motion:

Moved Cr Fleischfresser seconded Cr Dalton

That the report be received and adopted subject to the deletion of recommendation b and the insertion of:

b) The Wooroolin Transfer Station be closed and a traffic count be undertaken at the Memerambi Transfer Station for one (1) month to determine the most appropriate hours for operation and during the trial period the Transfer Station be open from 6.00am to 6.00pm

and further investigation of tipping fees and procedures be undertaken

Carried 11/0

8.3.5 Environmental Health Officer Resources

Background:

Report Nos: (C19-C20)

The Director of Health and Building submitted a written report on Environmental Health Officer Resources recommending that Council write to other Local Governments to determine their interest in a shared Environmental Health Officer arrangement and that the matter be revisited again at budget time.

Motion:

Moved Cr Fleischfresser seconded Cr Campbell

That Council write to other Local Governments to determine their interest in a shared Environmental Health Officer arrangement and that the matter be revisited again at budget time

Carried 11/0

8.3.6 Tyre Reduction Policy

Background:

Report Nos: (C21-C22)

The Director of Health and Building submitted a written report on the Tyre Reduction Policy recommending that Council:

- a) Prepare and submit a voluntary Environmental Management Plan (EMP) to the Environmental Protection Agency and that this plan will identify how Council will reduce the number of tyres to ensure it meets compliance with its Environmental Authority within the next five (5) years
- b) Commit to allocating a minimum of \$40,300.00 each year, over the next five (5) years for the purposes of removing the stockpile of tyres at the Kingaroy Landfill and that this allocation be initially be sourced from the general rate

Motion:

Moved Cr Lehmann seconded Cr Shaw

That the report be received and adopted

Carried 11/0

9. CORPORATE AND COMMUNITY SERVICES SECTION

9.1 Business Arising Out of Minutes

Nil

9.2 Correspondence

- 9.2.1 **South Burnett National Show Society** - Seeking support in the form of sponsorship for the Annual Kingaroy Show to be held on 29 & 30 April 2005

Background:

Council provided sponsorship of \$150 towards the photographic competition, \$400 towards the woodchop and \$400 towards some other section of the show. Council also granted a 50% concession on hall fees for the Show Ball.

Provision has been made in the current budget for a similar donation

Motion:

Moved Cr Moss seconded Cr Campbell

That Council provide sponsorship of \$150 towards the photographic competition, \$400 towards the woodchop and \$400 towards some other section of the show. Council also grant a 50% concession on hall fees for the Show Ball

Carried 11/0

- 9.2.2 **Department of Local Government & Planning** - Requesting submissions on the draft Local Government Regulation 1994 (LGR) and Local Government Finance Standard 1994 (LGFS)

Background:

Report Nos: (D9-D14) (D15-D22)

The Chief Executive Officer submitted written reports on the implications that the proposed changes to the Local Government Finance Standard and Local Government Regulation will have on Council

Motion:

Moved Cr Lehmann seconded Cr Moss

That the reports be received and adopted

Carried 11/0

- 9.2.3 **Local Government Association of Queensland Inc** - Requesting comment by Friday 18 February 2005 on the Draft Memorandum of Agreement for the Queensland Disaster Management Alliance

Background:

The Disaster Management Act requires Council to complete a Disaster Management Plan. The Local Government Association is proposing to develop an alliance arrangement with the Department of Emergency Services to ensure that changes to disaster management are effected in an effective and efficient way that will result in improved community safety and increased community resilience in the event of a disaster or emergency situation.

Motion:

Moved Cr Moss seconded Cr Lehmann

That the letter be received and that Council advise it has no comments

Carried 11/0

- 9.2.4 **Local Government Association of Queensland Inc** - Advising that the association does not intend to coordinate a special appeal to aide Tsunami victims and that Council's can donate to any of the major aide agencies

Background:

There will be an opportunity to participate in the long term recovery of the affected communities and Council may wish to participate for example by supporting employees who volunteer their services.

Motion:

Moved Cr Shaw seconded Cr Fleischfresser

That the letter be received and Council support its employees who offer their services and cooperate in any future relief efforts

Carried 11/0

- 9.2.5 **Queensland Audit Office** - Forwarding outcomes of audit and requesting advice of Council's Road and Bridge network revaluation plan

Background:

This letter draws Council's attention to issues raised by contract auditors from our 2003/2004 audit. Staff responses are also attached. It is a requirement that the letter be tabled at a Council meeting.

In relation to the question concerning the revaluation of Council's Road and Bridge Network Assets we have been awaiting their assessment by ARRB Transport Research as part of the road alliance program. The data has now been received and it is expected a revaluation should be carried out by the 30 June 2005.

Council's confirmation that the issues raised have been or will be actioned as advised by the Chief Executive Officer is required by the 11 February 2005.

Motion:

Moved Cr Lehmann seconded Cr Shaw

That Council endorse the Chief Executive Officers comments and congratulate staff on the results of the audit

Carried 11/0

- 9.2.6 **Queensland Retail Traders and Shopkeepers** - Requesting Council's response to an application by the National Retailers Association to the Queensland Industrial Relations Commission to extend the Sunday trading boundaries for Non-Exempt Shops

Background:

Council has previously opposed these applications on the basis that it will impact on the local economy. We suggest the matter should be discussed with the Kingaroy Chamber of Commerce & Industry Inc before we finalise a position.

Motion:

Moved Cr Lehmann seconded Cr Shaw

That the matter be referred to the Kingaroy Chamber of Commerce and Industry for comment

Carried 11/0

- 9.2.7 **The Leukaemia Foundation of Queensland** - Requesting Council's support and endorsement for the opening of a new \$7.5 million patient support and accommodation village in October 2005 as part of the 30th Anniversary of the Foundation

Background:

Council has previously received requests for donations to the Leukaemia Foundation but has declined to make a donation

Motion:

Moved Cr Lehmann seconded Cr Shaw

That the letter be received

Carried 11/0

- 9.2.8 **Minister for Environment Local Government & Planning** - Seeking Council's support through its events and activities in 2005 to celebrate 100 years of women's right to vote in Queensland State Elections (the Centenary of Suffrage)

Background:

A list of 20 ways to Celebrate 100 years of Queensland Women's Right to vote is enclosed. A local women's service club might like to promote the celebrations.

Motion:

Moved Cr Trout seconded Cr Dalton

That the letter be received

Carried 11/0

- 9.2.9 **Department of the Premier and Cabinet** - Requesting nominations by 1 March 2005 for the Queensland Multicultural Awards 2005

Background:

Unless Council wishes to make a nomination no further action is required.

Motion:

Moved Cr Shaw seconded Cr Trout

That the letter be received

Carried 11/0

- 9.3 **6 Monthly Financial Statements and Budget Review**

Background:

Report Nos: (D23-D73)

The Director of Administration and Finance submitted a written report recommending that the revised budget be adopted and the Operational Plan be amended to include the alterations listed on Appendix E of this report.

Motion:

Moved Cr Lehmann seconded Cr Moss

That the 6 Monthly Financial Statements and Budget review be received and adopted

Carried 11/0

- 9.4 **General Business**

- 9.4.1 **Regional Arts Development Fund (RADF) Report**

Background:

Report Nos: (D1-D3)

The Regional Arts Development Fund (RADF) Committee reported in accordance with the minutes of the meeting held on 1 December 2004

Motion:

Moved Cr Shaw seconded Cr Moss

That the report be received and adopted

Carried 11/0

9.4.2 **Managers Report – Library Services**

Background:

Report Nos: (D4)

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

Motion:

Moved Cr Moss seconded Cr Shaw

That the Manager of Library Services report be received, missing items be written off and donors of books be thanked

Carried 11/0

9.4.3 **Economic Development Advisory Body Report**

Background:

Report Nos: (D74-D100)

The Economic Development Advisory Body reported in accordance with the meeting held on the 24 January 2005

Motion:

Moved Cr Campbell seconded Cr Lehman

That the report be received and adopted

Carried 11/0

9.4.4 **Corporate Plan 2005/2009**

Background:

Report Nos: (D101-D117)

The Chief Executive Officer presented a written report and recommendations in relation to preparation of Council's Corporate Plan 2005/2009

Motion:

Moved Cr Moss seconded Cr Lehmann

That the report be received and that a Special Meeting of Council to consider the Corporate Plan for 2005/2009 be held on 21 February 2005 at 9.00am

Carried 11/0

9.4.5 Enterprise Agreement

Background:

Council's enterprise Agreement contains a framework for Council and its employees to negotiate the annualisation of salaries where both parties initially agree as part of a Local Area Work Agreement. Requests are being received to exercise the options under this clause. Additionally the levels and packages for a number of staff have not been reviewed for some time

Motion:

Moved Cr Lehmann seconded Cr Fleischfresser

That authority be delegated to the Chief Executive Officer to review remuneration levels and salary packages for senior staff and to negotiate annualised salaries for employees seeking to participate

Carried 11/0

9.4.6 Policy – Library Public Access computer and Internet Use

Background:

Report Nos: (D5-D8)

Library staff have reviewed and amended our policy on the use of the internet and public access computers in the library. The proposed amendments have been shown in italics in the report.

Motion:

Moved Cr Lehmann seconded Cr Campbell

That the amended Library Public Access computer and Internet Use Policy be adopted

Carried 11/0

10. WORKS AND SERVICES SECTION

10.1 Business Arising Out of Minutes

10.1.1 Haydens Road – Sale of Land

Background:

At the November 2003 Council meeting it was determined that a design for the possible subdivision of a small parcel of land in Haydens Road (previously gravel pit) taking into account adjoining properties accesses and a bus turnaround should be prepared and the matter further considered by Council. The area of land has been surveyed and a design has been prepared taking into account private accesses, drainage and bus turnaround. The estimated cost of works to allow the area of land to be suitably used is \$30,832. Council now needs to determine the future of the parcel of land.

Motion:

Moved Cr Coleman seconded Cr Shaw

That Council not proceed with the sale of land due to the cost involved.

Carried 11/0

10.2 Correspondence

- 10.2.1 **Keep Australia Beautiful Council Qld Inc** - Requesting nominations by Friday 11 February 2005 for Keep Australia Beautiful's Ergon Energy Tidy Towns competition

Background:

Changes were made to the Tidy Towns Competition in the late 1990's and Council has not participated for over six (6) years. Instead, Gardens competitions have been fostered in the Shire with support given to both the Kingaroy Garden Club and the Kumbia Progress Association for garden competitions in Kingaroy and Kumbia.

Motion:

Moved Cr Campbell seconded Cr Coleman

That the letter be received and Council advise the Kingaroy, Kumbia and Wooroolin garden clubs of money set aside in the Budget for garden competitions

Carried 11/0

- 10.2.2 **Minister for Transport and Main Roads** - Forwarding a copy of the approved 2004-05 to 2008-09 Roads Implementation Program (RIP).

Background:

The Roads Implementation Program lists all of the Department of Main Roads Projects for the current and following two financial years. The RIP is normally released by the Premier and Minister for Transport and Main Roads in October/November of each year. However the 2004/2005 - 2008/2009 Roads Implementation Program was released late in 2004 and copies were received by Council in early January.

Motion:

Moved Cr Campbell seconded Cr Coleman

That the letter be received

Carried 11/0

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 10 December 2004 to 10 January 2005

Motion:

Moved Cr Campbell seconded Cr Lehmann

That the report be received

Carried 11/0

11. RURAL COMMUNITIES AND ENVIRONMENTAL SERVICES SECTION**11.1 Business Arising Out of Minutes**

Nil

11.2 Correspondence

- 11.2.1 Local Government Association of Queensland Inc** - Requesting Council comment on the Nature Conservation Regulation 1994 and the Nature Conservation Wildlife Regulation 1994 which are due to expire on 1 September 2005

Background:

The proposed Nature Conservation Regulation 2005 will replace the Nature Conservation Regulation 1994. The proposed Nature Conservation (Wildlife) Regulation 2005 will replace the Nature Conservation (Wildlife) Regulation 1994. The primary objective of remarking the proposed regulations is to provide for effective management of protected areas, and of wildlife, in order to achieve the object of the Act – the conservation of nature.

Motion:

Moved Cr Campbell seconded Cr Coleman

That Council support the changes to the existing Nature Conservation Regulation and Nature Conservation Wildlife Regulation provisions to be replaced by the new Nature Conservation Regulation and Nature Conservation Wildlife Regulation provisions.

Carried 11/0

- 11.2.2 Primary Industries Week Inc** - Seeking Council's support to promote Queensland Primary Industries Week to be held 2-9 April 2005

Background:

The Department of Primary Industries & Fisheries, Kingaroy will be holding an open day on 6 April 2005 as part of Primary Industries Week.

It is suggested Council provide a display at the open day and could incorporate our new planning scheme and our draft Pest Management Scheme for comment.

Motion:

Moved Cr Lehmann seconded Cr Campbell

That Council agree to participate in the open day being held by the Kingaroy Department of Primary Industries and Fisheries on 6 April 2005

Carried 11/0

- 11.2.3 Department of the Environment and Heritage** - Requesting comments regarding a nomination under the Environment Protection and Biodiversity Conservation Act 1999 to list the Weeping Myall Open Woodland as an endangered ecological community

Background:

The Minister for the Environment and Heritage has received a public nomination to list the Weeping Myall Open Woodland of the Riverina, NSW South-Western Slopes, Darling Riverine Plains and Brigalow Belt South Bioregions as an endangered ecological community under the EPBC Act. Minister invites Council to comment on the public nomination.

Provided for the information of Councillors.

Motion:

Moved Cr Carroll seconded Cr Dalton

That the letter be received

Carried 11/0

- 11.2.4 **Ballon Outdoor Education Centre - Lorna Wieland** - Requesting to know Council's policy in relation to the control of African Love Grass

Background:

Council is currently reviewing its pest management plan and the issue of African Love Grass is being considered as part of that plan

Motion:

Moved Cr Carroll seconded Cr Moss

That the writer be advised Council is currently reviewing its Pest Management Plan and public comment will be sought before the plan is finalised. Further Council is monitoring research into the management and control of African Love Grass as part of the above review.

Carried 11/0

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 Thursday 13 January 2005

Motion:

Moved Cr Carroll seconded Cr Dalton

That the report be received and adopted

Carried 11/0

11.3.2 Vegetation Management Framework

Background:

Report Nos: (F2-F10)

The Natural Resource Management Officer submitted a written report on changes to the Vegetation Management Framework and implications for Local Government

Motion:

Moved Cr Campbell seconded Cr Lehmann

That Council adopt the Vegetation Management Framework and changes to the vegetation clearing laws.

Carried 11/0

11.3.3 Future of Coolabunia Saleyards

Background:

Reports Nos: (F11-F18)

The Director of Administration and Finance submitted a written report on the future of the Coolabunia Saleyards recommending that Council review the situation in conjunction with the 2006/2007 budget and commit to keeping the saleyards open until then. Further it be accepted that we will need to subsidise their operations from general revenue as part of a community service obligation to our rural producers during that period.

Motion:

Moved Cr Carroll seconded Cr Moss

That:

- (a) Council review the situation in conjunction with the 2006/2007 budget and commit to keeping the saleyards open until then. Further it be accepted that we will need to subsidise their operations from general revenue as part of a community service obligation to our rural producers during that period.*
- (b) Council adopt the following procedures for the operation of the Vehicle Wash down Facility:*
 - The wash down facility will only be generally available on the day prior to the sale and sale day for vehicles delivering cattle to the yards to wash down. All other times access will only be by a licensed key*
 - A vandal proof control box be placed on the pump house that can only be opened by a security key. On payment of an annual licence fee local transport operators will be given a key to allow them access to the control box.*
 - Council meet with Swickers to advise them of our decision to not allow vehicles delivering livestock to their premises to wash their vehicles at Coolabunia and to discuss with them their plans to upgrade their wash down facility.*
 - Appropriate signage be placed at the saleyards advising of the conditions of use of the wash down facility*

Carried 11/0

ADJOURNMENT

Motion:

Moved Cr Fleischfresser

That the meeting adjourn until 2.00pm

Carried 11/0

RESUMPTION

The meeting resumed at 2.00pm with attendance as previous to the Adjournment

Presentation

2.00pm William Owen – Core Economics and Tony Winter – Winter Consulting made a presentation to Council on the Kingaroy Town Centre Retail Facilities Assessment

12. **MAYOR'S MINUTES**

12.1 **Mayor's Report**

Background:

Report Nos: (G1-G2)

The Mayor presented his monthly report covering the period 16 December 2004 to 27 January 2005

Motion:

Moved Cr Campbell seconded Cr Shaw

That the Mayors report be received

Carried 11/0

13. **GENERAL BUSINESS**

Nil

There being no further business the meeting was declared closed

Confirmed before me this day of 2005

MAYOR