
DISCLAIMER

The following copy of the Minutes of the meeting of the Kingaroy Shire Council held on 24 March 2005 are **UNCONFIRMED** and are supplied as a courtesy and not pursuant to the statutory obligation under S468(1)(b) of the Local Government Act 1993.

Minutes of the meeting of the Kingaroy Shire Council, held in the Council Chambers, Glendon Street, Kingaroy on Thursday 24 March 2005 at 9.06 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 – CR LJ TROUT

Motion:

Moved Cr Lehmann seconded Cr Campbell

That the leave of absence be approved for the March 2005 General meeting

Carried 10/0

2. PRAYERS AND CONDOLENCES

A motion of sympathy was passed to the relatives of the late John Schmidt, George Badrick, Elsie Telford, Margareta Schulz, Ivan Dascombe, Leonard William Murray and Christine L Robinson

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

Nil

4. RECEIPT OF PETITIONS

Nil

5. CONFIRMATION OF MINUTES

Motion:

Moved Cr Lehmann seconded Cr Fleischfresser

That the minutes of the previous meeting held on Thursday 24 February 2005 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 an IDAS Application - Material Change of Use - Multiple Unit Dwellings - Lot 57 RP37003 Burnett Street Kingaroy - Applicant/Owner: Michael S & Megan Z Heiner

Background:

Report Nos: (A40-A46)

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

Motion:

Moved Cr Fleischfresser seconded Cr Campbell

That the report be received and adopted

Carried 9/0

- 6.1.2 **O'Reilly Nunn Favier** - Forwarding an IDAS Application - Reconfiguring a Lot - Subdivision - House Excision (One Lot into Two Lots) Lot 20 RP848606 - 141 Moore Street Kingaroy - Applicant/Owner: Merv & Yvonne Pates

Background:

Report Nos: (A1-A6)

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 Fleischfresser seconded Cr Dalton

That the report be received and adopted

Carried 9/0

6.2 **Correspondence**

- 6.2.2 **Oasis Motel - Max & Mandy Smith** - Lodging a submission in relation to the proposed development at Lot 1 SP104332 & Lot 5 SP164630 - Evelyn Street; Hodge Street & Harris Road Kingaroy for 32 accommodation units

Background:

Assessment of this application is not complete.

Motion:

Moved Cr Fleischfresser seconded Cr Moss

That consideration of the matter be deferred pending completion of the Manager of Planning Services report

Carried 9/0

6.2.6 **Patricia A Jensen** - Forwarding supporting information in relation to the submission concerning IDAS Development Application - Wine Tourism Facility and Community Management Scheme Subdivision - Lot 1 RP36985, Weens Road - Applicant: Frederick D Butler

Background:

The applicant has requested that assessment of this application be deferred in order to provide further supporting information.

Motion:

Moved Cr Fleischfresser seconded Cr Coleman

That consideration of the matter be deferred until further information is received from the applicant

Carried 9/0

6.2.7 **Department of Public Works** - Lodging a submission in relation to the proposed development at Lot 1 SP104332 & Lot 5 SP164630 - Evelyn Street; Hodge Street & Harris Road Kingaroy for 32 accommodation units

Background:

Assessment of this application is not complete.

Motion:

Moved Cr Fleischfresser seconded Cr Moss

That consideration of the matter be deferred pending completion of the Manager of Planning Services report

Carried 9/0

6.2.9 **Education Services - South Burnett District Office** - Lodging a submission in relation to the proposed development at Lot 1 SP104332 & Lot 5 SP164630 - Evelyn Street; Hodge Street & Harris Road Kingaroy for 32 accommodation units

Background:

Assessment of this application is not complete.

Motion:

Moved Cr Moss seconded Cr Shaw

That consideration of the matter be deferred pending completion of the Manager of Planning Services report

Carried 9/0

UNCONFIRMED

- 6.2.10 **O'Reilly Nunn Favier** - Forwarding an IDAS Application - Request to Change an Existing Approval at 93 River Road Kingaroy - Lot 7 RP861173 - Proposed Expansion of Industrial Uses - Applicant/Owner: Gary Barron

Background:

A report was not available for the meeting

Motion:

Moved Cr Fleischfresser seconded Cr Woods

That consideration of the matter be deferred pending completion of the Manager of Planning Services report

Carried 9/0

- 6.2.12 **O'Reilly Nunn Favier** - Forwarding an IDAS Application - Reconfiguring of Boundaries - Rural Residential Subdivision (40 Lots) - Burrandowan Road & Ellesmere Road - Lot 1 RP157007 & Lot 62 FY2526 - Applicant/Owner: Crystal Property Investments P/L as trustees

Background:

Outstanding procedures include information request/response.

Motion:

Moved Cr Fleischfresser seconded Cr Dalton

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

Carried 9/0

- 6.2.14 **O'Reilly Nunn Favier** - Forwarding an IDAS Application - Reconfiguration of Boundaries - Stage 1D Swendson Place - Part of Lot 3 RP848621 - Clark & Swendsons Road - (1 Lot into 19 Lots) Applicant/Owner: Alan Swendson

Background:

Assessment of this application is not complete.

Motion:

Moved Cr Fleischfresser seconded Cr Dalton

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

Carried 9/0

- 6.2.19 **O'Reilly Nunn Favier** - Requesting Council suspend the appeal period to seek a negotiated decision to modify the approval from a Preliminary Approval to a Development Permit for the Development Application Decision Notice - 18 James Street - Rick Diesel

Background:

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

Motion:

Moved Cr Dalton seconded Cr Fleischfresser

That the report be received and adopted

Carried 9/0

ATTENDANCE

The Mayor returned to the meeting and resumed the Chair

6.1 Business Arising Out of Minutes (Cont)

- 6.1.1 **Martin Design & Drafting** - Forwarding an IDAS Development Application for Two Additional Two Bedroom Highset Units at 5 Rae Street Kingaroy - Lot 2 RP79040 - Applicant: AG Martin Design & Drafting - Owner: Robert H & Toni A Cox

Background:

Report Nos: (A31-A39)

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

Motion:

Moved Cr Fleischfresser seconded Cr Dalton

That the report be received and adopted

Carried 10/0

- 6.1.2 **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:

Assessment of this application is not complete

Motion:

Moved Cr Dalton seconded Cr Fleischfresser

That consideration of the matter be deferred pending completion of the Manager of Planning Services report

Carried 10/0

- 6.1.3 **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

6.2 Correspondence

- 6.2.1 **Derek J & Lynda M Hicks** - Lodging a submission in relation to the application for material change of use for six multiple dwelling units at 18 Haly Street Kingaroy - Lot 91 RP885108 - Bizarro Investments Pty Ltd

- 6.2.3 **Mr Elwin D Harrison** - Lodging a submission in relation to the application for material change of use for six multiple dwelling units at 18 Haly Street Kingaroy - Lot 91 RP885108 - Bizarro Investments Pty Ltd

- 6.2.4 **Thomas Fogg & Jennifer Mazzer** - Lodging a submission in relation to the application for material change of use for six multiple dwelling units at 18 Haly Street Kingaroy - Lot 91 RP885108 - Bizarro Investments Pty Ltd

Background:

Report Nos: (A11-A23)

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

Motion:

Moved Cr Fleischfresser seconded Cr Dalton

That the report be received and adopted

Carried 10/0

6.1 **Business Arising Out of Minutes (Cont)**

- 6.1.5 **Edward A & Colleen S Just** - Forwarding an IDAS Application - Material Change of Use at L482 FY2726 & Environmentally Relevant Activity at Lot 3 RP179279 for Auto Dismantling & Scrap Metal Applicant: EA Just

Background:

Assessment of this application is not complete

Motion:

Moved Cr Fleischfresser seconded Cr Dalton

That consideration of the matter be deferred pending completion of the Manager of Planning Services report

Carried 10/0

- 6.1.6 **Mr Reginald B & Mrs Joy I White** - Forwarding an IDAS Application - Reconfiguring a Lot for Family Subdivision - (1 Lot into 2 Lots) Lot 359 FY543 Wenzels Road - Applicant/Owner: Reginald B & Joy I White

Background:

Report Nos: (A24-A30)

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

Motion:

Moved Cr Fleischfresser seconded Cr Dalton

That the report be received and adopted

Carried 10/0

6.2 **Correspondence (Cont)**

- 6.2.5 **Robert H & Joyce E Childs** - Forwarding a Request to Change an Existing Approval at 612 Wicks Road Gordonbrook via Kingaroy - Lot 265 FY1034 - Sunwater Tarong Pipeline - Applicant/Owner: Robert H & Joyce E Childs

Background:

Outstanding procedures include Concurrence Agency response

Motion:

Moved Cr Fleischfresser seconded Cr Moss

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

Carried 10/0

- 6.2.8 **Mr L D Chapman & Associates** - Requesting Council consider a relaxation of the Proposed Town Plan regarding the position of the carports at the front of the building at the duplex development approval at Lot 125 Summer Court on behalf of Mr & Mrs Kevin Lee

Background:

Report Nos: (A7-A10)

Due to the urgent nature of the request just after the February Council meeting, Town Planning Agenda Group Councillors have given consideration to and approved the applicant's request. The Manager of Planning Services submitted a written report recommending that Council endorse the Agenda Group Councillor's acceptance to the request.

Motion:

Moved Cr Moss seconded Cr Shaw

That Council endorse the Agenda Group Councillors' acceptance to the request

Carried 10/0

- 6.2.11 **Urban Strategies Pty Ltd** - Forwarding an IDAS Application - Material Change of Use of Premises - Multiple Dwelling Development (13 Units) at 6-8 Gladys Street Kingaroy - Lots 5 & 6 RP47278 - Applicant/Owner: Abakos Digital Images P/L

Background:

Outstanding procedures include information request/response and public notification

Motion:

Moved Cr Fleischfresser seconded Cr Coleman

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

Carried 10/0

- 6.2.13 **Local Government Association of Queensland Inc** - Requesting comments by 29 April 2005 regarding the Review of the Residential Tenancies (Accommodation) Act 2002

Background:

A review of the Residential Tenancies (Accommodation) Act 2002 is currently being undertaken and given the difficulties with the implementation of the legislation at the local level, it is recommended that a submission be made

Motion:

Moved Cr Fleischfresser seconded Cr Dalton

That the matter be referred to the Director of Health & Building for response

Carried 10/0

- 6.2.15 **Urban Strategies Pty Ltd** - Forwarding an IDAS Application - Material Change of Use & Reconfiguring a Lot at 27 & 29 Duke Street Kingaroy - Multiple Dwelling – Six (6) Units - Lot 25 RP37025 and Six (6) Units – Lot 26 RP37025 - Applicant/Owner: Sunshine North P/L

Background:

Outstanding procedures include information request/response and public notification

Motion:

Moved Cr Fleischfresser seconded Cr Moss

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

Carried 10/0

- 6.2.16 **Hugh & Rosslyn Campbell - Inverai Rural P/L** - Forwarding an IDAS Application - Request to Change an Existing Approval - Apply to Remove Livestock Road Levy from Greystonlea Feedlot - Lot 3 BO514 Greystonlea Road - Applicant: Inverai Rural P/L - Owner: Hugh & Rosslyn Campbell

Background:

Assessment of this application is not complete.

Motion:

Moved Cr Fleischfresser seconded Cr Shaw

That consideration of the matter be referred to the April General meeting

Carried 10/0

- 6.2.17 **Swickers Kingaroy Bacon Factory** - Seeking approval for an old house situated east of the Swicker's offices on RP167172 to be relocated onto Lot 130 FTZ37444 (owned by Swickers) to be used as an overnight quarter for the farmer leasing the cultivated land

Background:

Report Nos: (A47-A48)

The Manager of Planning Services submitted a written report recommending that Council accede to the request and advise the applicant that proposed site 1 (south of the existing dwelling and farm shed) is considered the more suitable site for the relocated dwelling.

Motion:

Moved Cr Fleischfresser seconded Cr Dalton

That the report be received and adopted

Carried 10/0

- 6.2.18 **Department of Tourism Fair Trading & Wine Industry Development** - Requesting comments in relation to an application lodged by Pottique Pty Ltd for a Wine Merchant Licence that would permit the sale of Queensland Wines at 15645 D'Aguiar Highway Kingaroy - Lot 1 RP193134

Background:

The Manager of Planning Services verbally advised the change to the licence will permit the applicants to sell any wine produced in Queensland, as opposed to their current licence that permits only Barrambah Ridge wines to be sold. The change in licence will not materially affect the nature or scale of the activity, and it is recommended that Council offer no objection to the application.

Motion:

Moved Cr Fleischfresser seconded Cr Lehmann

That Council offer no objection

Carried 10/0

6.3 **General Business**

6.3.1 **Review of Draft Planning Scheme**

Background:

Review of submissions is nearing completion and a compiled report of submissions and recommendations across the South Burnett is expected from Gutteridge Haskins and Davey (GHD) shortly.

Options for consideration by Council of the submissions include:

- (a) Convening a special Council meeting; or
- (b) Delegating authority to the Planning & Development Agenda Group Councillors; or
- (c) Consideration at the April General meeting

Deferral to the April meeting may unduly delay finalisation of the Scheme by the 31 July deadline

Motion:

Moved Cr Woods seconded Cr Campbell

That a special meeting be held on 15 April 2005 to discuss the Draft Planning Scheme and Corporate Plan Review commencing at 9.00 am

Carried 10/0

7. **WATER AND SEWERAGE SERVICES SECTION**

7.1 **Business Arising Out of Minutes**

Nil

7.2 **Correspondence**

- 7.2.1 **Department of Natural Resources** - Inviting comments to be submitted by 30 April 2005 in relation to the discussion paper - Review of the River Improvement Trust Act 1940

Background:

A review of the Act has not been possible at this stage but a report will be submitted to April meeting after appropriate consideration.

Motion:

Moved Cr Coleman seconded Cr Dalton

That consideration of the matter be deferred until the April General meeting

Carried 10/0

- 7.2.2 **Department of Natural Resources & Mines** - Requesting to know whether Council has any objection to the renewal of Term Lease 206778 being Lot 386 FY737 - Camping & Water Reserve - Lessee: LN & DN Corbet

Background:

Initial investigations indicate there are no issues with renewing the lease as the land is not in an area of high significance as far as vegetation or natural resources are concerned. Further comment will be made at the meeting after further investigation by the Natural Resource Officer.

Motion:

Moved Cr Dalton seconded Cr Lehmann

That Council offer no objection

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 activities undertaken during the period 16 February 2005 to 14 March 2005

Motion:

Moved Cr Dalton seconded Cr Lehmann

That the report be received

Carried 10/0

7.3.2 **Memerambi Gordonbrook Road – Request for Water Service**

Background:

In October 2004 Council received a request for a water connection to Lot 2 RP 146658. Advice in writing was given to the applicant in November 2004 that Council policy did not allow for a connection.

Early in 2005 the applicant requested a review of the decision believing that during a discussion with Council staff prior to their purchase of the parcel, they were advised to write to Council to apply for the water connection.

Investigations with Council's Water Supply & Sewerage Staff reveal that the applicant was advised that a connection would not be permitted under current policy but they had the right to put their request in writing to Council.

The rate search conducted on the property at the time of purchase by the applicant clearly stated that there was no possibility of a connection.

The Council policy not to allow further service from the Gordonbrook to Kingaroy rising main was determined in the early 1990s as a result of analysis which slowed the existing services on the main reducing the operational efficiency of the system and any further connection would reduce the efficiency further and ultimately adversely affect the flow rate to Kingaroy.

The issue has occurred as a result of a misunderstanding of the information given.

If Council were to agree to some form of service to assist the landowners who run twelve (12) head of cattle, service restriction would need to be applied eg Rural Restricted Service; low pressure (ie pressure reduction); supply headworks (\$339.20)

Motion:

Moved Cr Dalton seconded Cr Lehmann

That Council approve the service subject to the following conditions:

- (a) Rural Restricted Service*
- (b) Maximum allowable consumption – 0.5 mgl / year*
- (c) Service is for stock water only*
- (d) Headworks payable - \$339.20*
- (e) Pressure of service be limited to 300 kpa*
- (f) Supply not guaranteed at all times. Minimum of at least three (3) days supply to be stored on site*

...

PROCEDURE

Motion:

Moved Cr Fleischfresser

That the motion lay on the table until later in the meeting

Carried 10/0

8. HEALTH SERVICES SECTION

8.1 Business Arising Out of Minutes

Nil

8.2 Correspondence

- 8.2.1 **Local Government Association of Queensland Inc** - Seeking comments by Friday 1 April 2005 in relation to the Draft Queensland Local Government Community Based Recycling Guidelines

Background:

The development of partnerships will be vital if and when recycling (whether public place or kerbside) commences in Kingaroy Shire. Such a document, which currently in its draft form is 52 pages long, will provide a valuable resource to Council when the time comes to considering its options. If time permits, a response should be provided to LGAQ on this issue.

Motion:

Moved Cr Shaw seconded Cr Lehmann

That the Director of Health & Building prepare a response if necessary

Carried 10/0

- 8.2.2 **Boomerang Alliance** - Requesting Council support the campaign for better environmental and social outcomes calling for a redrafted National Packaging Covenant and best practice waste management in Australia

Background:

Any strategies that improve environmental outcomes whilst shifting the financial responsibility away from ratepayers so the costs are shared by producers and consumers of packaging should be supported. The campaign by Boomerang Alliance hopes to ensure that the debate is not dominated by industry and that it shifts the cost burden of waste management away from local government.

Motion:

Moved Cr Fleischfresser seconded Cr Coleman

That Council offer its support

Carried 10/0

- 8.2.3 **Minister for Ageing - The Hon Julie Bishop MP** - Seeking Council's input into the determination process for the number of places available in the 2005 Aged Care Approvals Round (ACAR)

Background:

Council has been given an opportunity to have input on how to meet the aged care needs for the Shire. The ageing population has been identified as one of the major issues facing the Shire and it is important that Council's views are included as part of the consultation

Motion:

Moved Cr Fleischfresser seconded Cr Moss

That comments be made relative to the retirement patterns of the area

Carried 10/0

8.3 General Business

UNCONFIRMED

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 March 2005

Motion:

Moved Cr Fleischfresser seconded Cr Lehmann

That the report be received

Carried 10/0

8.3.1.1 Failure to Submit Annual Return – Kingaroy Bus Lines

Motion:

Moved Cr Moss seconded Cr Fleischfresser

That it be noted that the annual return has been received and no further action needs to be taken

Carried 10/0

8.3.2 Regional Waste Management

Background:

Discussions have been ongoing between South Burnett Local Authorities in relation to regional waste management. There have been several areas identified where partnerships can be established between Council's, in particular in the area of domestic collections. With many of the discussions being in their infancy, it is important that Kingaroy Shire remains abreast of developments as they occur

Motion:

Moved Cr Fleischfresser seconded Cr Lehmann

That Council continue to investigate regional opportunities

Carried 10/0

8.3.3 Medical Services Committee Meeting

Background:

Report Nos: (C5)

The Medical Services committee reported in accordance with the minutes of the meeting held on 8 March 2005

Motion:

Moved Cr Fleischfresser seconded Cr Shaw

That the report be received

Carried 10/0

9. CORPORATE AND COMMUNITY SERVICES SECTION**9.1 Business Arising Out of Minutes**

9.1.1 National Retail Association Limited - Advising Council of the principal considerations in relation to seven day trading for retail

9.2 Correspondence

9.2.9 Queensland Retail Traders and Shopkeepers - Requesting to know Council's position in relation to Sunday Trading Proposed for Kingaroy Shire Council

Background:

The issue was considered by Council at its February 2005 General meeting and the matter was referred to the Kingaroy Chamber of Commerce & Industry Inc for discussion.

Motion:

Moved Cr Lehmann seconded Cr Campbell

That consideration of the matter be deferred until the April General meeting

Carried 10/0

9.2.1 Local Government Association of Queensland Inc - Requesting submissions by 1 April 2005 in relation to the LGAQ Discussion Paper - Local Government Act 1993 Review

Background:

The Local Government Act is the primary piece of legislation which governs Councils operations. It has been ten (10) years since it has been reviewed and there are a number of areas that should be updated. Some of the relevant issues raised by stakeholders have been listed in the letter. It is suggested that a response should be made to the discussion paper

Motion:

Moved Cr Lehmann seconded Cr Fleischfresser

That the Mayor and Chief Executive Officer be authorised to prepare a submission and Councillors forward any comments for consideration before 30 March 2005

Carried 10/0

9.2.2 P4Group Integrated Communication - Forwarding an overview of an exciting new initiative for youth in rural and regional Queensland - the Frontline Youth Foundation and requesting Council's assistance with promotional and fundraising activities

Background:

The Frontline Youth Foundation is proposing to bring their Roadshow to Kingaroy on 30 September and 1 October and seeks Council's support by way of a provision of an indoor venue for the forum and an outdoor venue for a community benefit concert as well as assisting with promotion etc. This may be an initiative that CTC Youth Services and Kingaroy Shire Council Youth Council may wish to get involved with.

Motion:

Moved Cr Coleman seconded Cr Lehmann

That the matter be referred to CTC Youth Services, Kingaroy High Schools and the Kingaroy Shire Youth Council and advise that the Town Hall Complex has been tentatively booked for the indoor venue

Carried 10/0

- 9.2.3 **Minister for Tourism Fair Trading & Wine Industry Development** - Inviting submissions to be forwarded by Friday 22 April 2005 in relation to the Consultation Paper for the Review of the Associations Incorporation Act 1981

Background:

This particular Act covers the operations of associations, many of which are local community and not-for-profit groups. The Minister is seeking Council's support in raising the issues with our local communities

Motion:

Moved Cr Lehmann seconded Cr Shaw

That a letter be forwarded to relevant local Organisations advising of the review of the Associations Incorporation Act 1981

Carried 10/0

- 9.2.4 **Computer Technologies for Schools** - Seeking Council's participation in the Computer Technologies for Schools Project and consideration of a donation of surplus computers and associated technology to support teaching and learning in schools

Background:

Council generally needs to replace/update a number of computers each year and has previously given those old computers to a local Computers for Schools project. Recently, we have agreed to give some to various community groups with the Senior Citizens Association to receive approximately three (3) to four (4) this year when they are replaced. The idea is a good one, however it will depend on what other commitments are made for our surplus requirements.

Motion:

Moved Cr Lehmann seconded Cr Shaw

That Council continue with its present policy with regard to disposal of Council's surplus computers

Carried 10/0

- 9.2.5 **Karate Union of Australia - Shotokan** - Requesting Council consider making a donation to assist two residents in the Shire who have been selected to represent

Australia as part of the Queensland Team to compete in Japan and Kuala Lumpur in August 2005

Background:

The fundraiser will be in the form of a Friendship Tournament, to be held in the Town Hall Complex on Saturday 16 April, 2005. The fundraiser proceeds will be used to further a Japanese Exchange program. Several local students will go to Japan and Kuala Lumpur for competition, training with elite coaches, and of course home stay experience to learn more about their culture.

Several hundred competitors are expected to attend, including competitors, officials and their families. If this event is successful, it is hoped that it will become an annual event.

There are currently over 120 members in the South Burnett, ranging in age from five to fifty-five. The Karate Union of Australia is a non-profit organisation.

The standard fee for hiring the Town Hall for this event would be \$108.50. (\$217.00 less a 50% concession under Council's concessions policy).

The K.U.A. has respectfully requested that Council consider granting a 100% concession in this case, to maximise the number of students who can participate in the Exchange program.

Council has not received a request from this group before. Similar approaches have been received in the past from individuals or other groups seeking donations or sponsorship. In those cases, Council has offered the Town Hall free of charge for these individuals/groups to run a fund raising event.

Motion:

Moved Cr Shaw seconded Cr Lehmann

That Council make a donation of 50% of the Town Hall fee in addition to the concession granted under Council's policy

Carried 10/0

9.2.6 **The Premier of Queensland & Minister for Trade** - Forwarding details regarding the 2005 Queensland Greats Awards - closing date Tuesday 29 March 2005

Background:

Council has previously discussed formulating a list of possible nominations for this type of award. Unfortunately at this stage that list has not been compiled so unless Council wishes to make a nomination, no further action needs to be taken

Motion:

Moved Cr Lehmann seconded Cr Shaw

That the letter be received and a list of the various awards recognising members of the community be compiled and that it be presented to the May General meeting

Carried 10/0

9.2.7 **Minister for Environment Local Government & Planning** - Forwarding a copy of the 'Focus on Women' Information Paper titled 'Women in Local Government in Queensland' and requesting comments by 9 May 2005

Background:

Unless Council wishes to make some comments, no further action is required

Motion:

Moved Cr Lehmann seconded Cr Shaw

That the letter be received

Carried 10/0

ADJOURNMENT**Motion:**

Moved Cr Lehmann

That the meeting adjourn for ten (10) minutes

Carried 10/0

RESUMPTION

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

9. CORPORATE AND COMMUNITY SERVICES SECTION**9.2 Correspondence (Cont)**

- 9.2.8 **Local Government Association of Queensland Inc** - Requesting written submissions by 17 May 2005 in relation to the Release of the Discussion Paper: Size Shape and Sustainability of Queensland Local Government

Background:

The issue of sustainability of many Queensland Local Governments is becoming one of the large issues facing rural and smaller regional Councils. It is important that Council participate in the discussions and make a submission to the discussion paper.

Motion:

Moved Cr Lehmann seconded Cr Shaw

That consideration of the matter be referred to the April General meeting and Councillors forward their ideas to the Chief Executive Officer prior to the meeting

Carried 10/0

9.3 Monthly Financial Statements**Background:**

Report Nos: (D1-D6)

The Financial Statements for the period ended 28 February 2005 were presented for Council's approval

Motion:

Moved Cr Lehmann seconded Cr Woods

That the Financial Statements for the period ended 28 February 2005 be received and adopted

Carried 10/0

9.4 General Business

9.4.1 Managers Report – Library Services

Background:

Report Nos: (D24)

The Manager of Library Services submitted a written report on activities for the month of February 2005

Motion:

Moved Cr Campbell 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: (D28)

The Economic Development Advisory Body reported in accordance with the meeting held on the 21 March 2005

Motion:

Moved Cr Lehmann seconded Cr Dalton

That the report be received and adopted

Carried 10/0

9.4.3 Amendments to Purchasing Policy

Background:

Report Nos: (D16-D23)

The Manager of Finance submitted a written report on proposed amendments and further clarifications to the Purchasing Policy

Motion:

Moved Cr Lehmann seconded Cr Moss

That the report be received and adopted

Carried 10/0

9.4.4 Differential Rating for General Rates

Background:

Report Nos: (D7-D15)

The Director of Administration & Finance submitted a written report on differential rating for general rates and recommending that Council adopt in principle the creation of additional Differential Rate Categories and further investigations be undertaken and an analysis of the impact on ratepayers be presented to Council at the May 2005 General Meeting

Motion:

Moved Cr Campbell seconded Cr Shaw

That the report be received and adopted

Carried 10/0

9.4.5 Rates Write-Off

Background:

Report Nos: (D25-D27)

The Manager of Rating & Property submitted a report concerning certain land at Memerambi and Taabinga Village recently transferred into Kingaroy Shire Council ownership and recommending that Council write off rates and interest charges totalling \$66,535.09 as per the following table:

ASSESSMENT NUMBER	FORMER OWNER	RPD	ADDRESS	O/DUE RATES
02942-00000-000	HW Madsen	L 201 T3621	Kingaroy Cooyar Road, Taabinga Village	\$0.00
02943-00000-000	EG Ward	L 213 T3621	Kingaroy Cooyar Road, Taabinga Village	\$0.00
02935-00000-000	I M Glode	L 201 M5421	Oil Seeds Road, Memerambi	\$9,683.75
02937-00000-000	I M Glode	L 3 M5421	Oil Seeds Road, Memerambi	\$10,077.60
02952-00000-000	Taabinga Village Cricket	L 209 T3621	Albion Street, Taabinga Village	\$20,353.44
02953-00000-000	Taabinga Village Cricket	L 211 T3621	Albion Street, Taabinga Village	\$20,353.73
02888-00000-000	Official Trustee in Bankruptcy (DW, DL, KM Dennis)	L 411 M5422	Bunya Highway, Memerambi	\$6,066.57

Motion:

Moved Cr Moss seconded Cr Lehmann

That the report be received and adopted

Carried 10/0

10. WORKS AND SERVICES SECTION

10.1 Business Arising Out of Minutes

Nil

ATTENDANCE

Cr Dalton left the meeting

10.2 Correspondence

10.2.1 **Noel V & Janette O Barsby** - Requesting Council consider relocating the old Social Club Hall (Carpenter's Shed) from the old Council Yard to the area immediately alongside the Canteen at the Saleyards to be used as a Recreation Hall

Background:

Council would be aware of the on going problems with other halls throughout the Shire and for other Shires throughout the State and associated costs and liabilities with such facilities. The location proposed would appear to be an inconsistent use given the likely immediate future of the Sale Yards with little or no justified demand at this stage.

Motion:

Moved Cr Coleman seconded Cr Shaw

That Council not accede to the request and the reasons be explained

Carried 9/0

10.2.2 **Australian Local Government Association** - Forwarding an invitation to attend the forthcoming National Local Roads and Transport Congress to be held in Launceston Tasmania from 3-5 July 2005.

Background:

Traditionally the National Local Roads and Transport Forum has presented a very good opportunity for discussion and updates of major issues with peak bodies at a National Level including the Federal Department of Transport. The Roads to Recovery program was born out of the original forums and to date have been generally very informative.

Motion:

Moved Cr Lehmann seconded Cr Woods

That the Mayor, Cr Campbell and Relevant Staff be authorised to attend the 2005 National Local Roads and Transport Forum from the 3-5 July 2005.

Carried 9/0

10.2.3 **Department of Main Roads – Executive Director (Brian Luttrell)** - Announcing the retirement of Brian Luttrell - Executive Director (Southern Queensland) effective 7 April 2005

Background:

Brian has been the Executive Director for some years and is highly regarded by the Local Governments to the Southern Region

Motion:

Moved Cr Lehmann seconded Cr Fleischfresser

That Council forward their thanks for his services and extend best wishes for his retirement

- 10.2.4 **Department of Natural Resources & Mines** - Requesting comments in relation to an application received by the current lessee Leslie M & Dorothy M Franklin to convert Term Lease 211739 being Lot 308 FY2148 Parish of Boobie to freehold

Background:

Lot 308 FY 2148 is a narrow parcel of land between the Crawford Boobie Road and a deep gully adjoining Lot 10 FY 2148. Lot 10 is landlocked parcel without any road frontage. Neither lot has water for cattle.

Currently, Lot 308, Lot 10 and Lot 2 RP 179089 are all in the same ownership and are operated as one paddock.

The applicant has applied for approval to freehold Lot 308 and to join it to Lot 10. This would create a small rural parcel with access to the Crawford Boobie Road. Creation of such a lot would not be in Council's interest. Rather, if Lot 308, Lot 10 and Lot 2 RP 179089 once amalgamated, the rural character of the area would be maintained

ATTENDANCE

Cr Dalton returned to the meeting

Motion:

Moved Cr Moss seconded Cr Shaw

That Council advise that it would have no objection to the proposed freeholding of Lot 308 providing it is amalgamated with Lot 10 FY 2148 and this parcel is amalgamated with Lot 2 RP 179089 to maintain the rural character of the area and Council discuss the matter with the applicant

Carried 10/0

- 10.2.5 **Office of the Deputy Prime Minister & Minister for Transport** - Forwarding a copy of the National Road Safety Action Plan 2005 and 2006.

Background:

This is the third in a series of action plans aimed at assisting the commonwealth Governments National Road Safety Strategy target of a 40% reduction in road death by 2010.

The Action plan needs to be considered in conjunction with other Council Road Safety Projects and Strategies.

Motion:

Moved Cr Campbell seconded Cr Lehmann

That the letter be received

Carried 10/0

10.3 **General Business**

- 10.3.1 **Directors Report – Engineering Services**

Background:

Report Nos: (E1-E7)

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 21 February 2005 to 14 March 2005

Motion:

Moved Cr Campbell seconded Cr Coleman

That the report be received

Carried 10/0

10.3.2 **Contract No 517 – Refurbishment of WJ Lang Memorial Pool**

Background:

Report Nos: (E8-E19)

The Deputy Director of Engineering Services submitted a written report on upgrading of the WJ Memorial Pool and recommending that Council accept the tender from Pool Link Pty Ltd for the upgrade of the WJ Lang Memorial Pool for a total contract price of \$841,544 inc GST including variations and the adjustments as negotiated and that Council undertake concourse works removed from the contract to the value \$69,892 ex GST, and furthermore that additional funds be sourced via increased loan borrowings in the 2005/2006 financial year.

Motion:

Moved Cr Lehmann seconded Cr Coleman

That the report be received and adopted

Carried 9/1

10.3.3 **Dates for Area Inspection**

Background:

Area roads inspections are undertaken in April each year. The dates for this need to be determined as soon as possible.

Motion:

Moved Cr Dalton seconded Cr Moss

That the Area Works Inspections be set down as follows:

Area 1 – Tuesday 3 May 2005 – 9.00 am

Area 2 – Thursday 12 May 2005 – 9.00 am

Area 3 – Tuesday 10 May 2005 – 9.00 am

Area 4 – Thursday 5 May 2005 – 9.00 am

Carried 10/0

10.3.4 **Local Government Infrastructure Symposium**

Background:

The Local Government Association Road and Transport Forum has been held annually since 1996. Many of the issues of recent years have been addressed allowing the forum to now refocus on Local Government Infrastructure. This will be the first of no doubt many annual symposiums which concentrate on infrastructure

Motion:

Moved Cr Lehmann seconded Cr Dalton

That the Mayor and Councillors Fleischfresser and Campbell and relevant staff be authorised to attend the Symposium

Carried 10/0

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 comments by Monday 14 March 2005 in relation to the Review of Regional Vegetation Management Codes for Ongoing Clearing Purposes

Background:

The regional Vegetation Management Code for on-going clearing purposes will impact on landholders in the Kingaroy Shire. The code provides the basis, consistent with the purposes of the Vegetation Management Act 1999, for making decisions about vegetation clearing. Landholders will need to refer to the code and the performance requirements when developing broadscale clearing application. The Vegetation Management Act 1999 states 'phasing out of broadscale clearing of remnant vegetation by 31st December 2006'.

Motion:

Moved Cr Carroll seconded Cr Coleman

That the letter be received

Carried 10/0

11.2.2 Office of the Gene Technology Regulator - Forwarding a Request for Comment on the Risk Assessment and Risk Management Plan for Application DIR055/2004 from Monsanto Australia Limited - Limited and Controlled Release of Genetically Modified Cotton

Background:

Council has consistently opposed the release of genetically modified crops into our Shire. Unfortunately, unless we can make a submission that the release of genetically modified cotton will have some harmful health effects we have very little chance of our opposition being supported. It is suggested the letter be received.

Motion:

Moved Cr Carroll seconded Cr Lehmann

That the letter be received

- 11.2.3 **Department of Primary Industries - Animal and Plant Health Service -**
Forwarding a Consultation Paper on a Proposed Amendment to the Licensing System for Agricultural Chemicals - closing date for comments by Monday 18 April 2005

Background:

Under the Agricultural Chemical Distribution Control Act 1966 (ACDC Act) Council officers are required to obtain an ACDC licence. In the past new and existing licence holders have been required to undertake examination which is held by the Department of Primary Industries and Fisheries. The proposed amendment is to remove sitting for examination and replacing it with an accepted qualification for a licence. This requirement would apply to new and existing licensees and include regular renewal of accreditation ie every 3-5 years.

Motion:

Moved Cr Carroll seconded Cr Lehmann

That Council investigate ACDC training and new licences for staff required to apply agricultural chemicals (on land they do not own or occupy) and Council NRM officers investigate and prepare a submission to the Consultation Paper proposed to amend the Licensing system for agricultural chemicals by 18 April 2005.

Carried 10/0

- 11.2.4 **Local Government Association of Queensland Inc -** Requesting comments by 15 April 2005 in relation to the Draft Wild Rivers Policy Consultation Paper

Background:

The Queensland Government has released a draft Wild Rivers Policy to protect rivers that have all (or almost all) of their natural values intact. The policy recognises the value of these rivers for sustaining natural ecosystems, scenic beauty, heritage amenity and recreational opportunity. The policy proposes the introduction of stand alone legislation aimed at protecting the State's remaining wild rivers. The policy is not publicly available and should be treated in a confidential manner.

The policy refers to Queensland far northern region rivers and Fraser Island, therefore no impact on the river systems located within the Burnett Catchment or Kingaroy Shire.

Motion:

Moved Cr Carroll seconded Cr Campbell

That the letter be received and a definition of what constitutes a Wild River be requested

Carried 10/0

- 11.2.5 **Local Government Association of Queensland Inc -** Requesting comments by Friday 27 May 2005 in relation to the LGAQ Review of the Community-Based Regional NRM Planning Arrangements

Background:

The discussion paper prepared by LGAQ provides an overview of how NRM arrangements operates and considers the opportunity for Local Government involvement in Regional arrangements and regional coordination groups. The paper also discusses the need for

formal reference of NRM plans to be endorsed by relevant RPAC's for each region and integrated into IPA planning Schemes.

Motion:

Moved Cr Carroll seconded Cr Campbell

That the matter be referred to the Natural Resources Management Officer and Manager of Planning Services for submission if required

Carried 10/0

11.2.6 **Department of Natural Resources** - Forwarding an invitation to participate in the rearing and distribution of salvinia biological control agents in South East Queensland

Background:

The National Aquatic Weeds Management Group and Brisbane City Council are coordinating the Salvinia control rearing facility as a regional facility for rearing and distributing Salvinia biological control agents. Local Governments across SEQ have the opportunity to contribute to the facility in return for a supply of Salvinia biological control ie Salvinia weevil.

The Salvinia weevil would be used in partnership with landholders controlling the Salvinia outbreak on the Stuart River. Ideally landholders and Council will use in the Salvinia in September 2005 when climatic conditions are most favourable i.e. no frost.

Motion:

Moved Cr Carroll seconded Cr Campbell

That Council contribute \$500 to the running costs of Brisbane City Council biological control rearing facility. Brisbane City Council in return will supply the Salvinia weevil for a period of one (1) year.

Carried 10/0

11.2.7 **Department of Primary Industries** - Forwarding Biosecurity Submission of Offer for Cattle Tick Inspection Services and requesting completed application form by Tuesday 12 April 2005 to participate in the Third Party Provider system.

Background:

The Department has been discussing privatising the provision of tick inspection services for some time. Applications have been called for submissions to offer from interested parties wishing to be a third party provider. The Coolabunia saleyards dip is included as a site in the submission documents.

Council has opposed the introduction of privatisation of this service from the start. Unless Council wishes to make an offer to provide tick inspection services then no further action is required.

Motion:

Moved Cr Carroll seconded Cr Lehmann

That the letter be received

Carried 10/0

DECLARATION OF INTEREST

Cr Campbell declared an interest in the following matters and left the meeting

11.2.8 **BGA Agri Services Pty Ltd** - Expressing their disappointment at Council's lack of support for their weaner sale and seeking clarification on the exclusive use of the saleyards

11.3 **General Business**

11.3.2 **Exclusive Use of the Saleyards**

Background:

In late February Council received a letter from BGA Livestock seeking approval to conduct an exclusive weaner sale at the Coolabunia Saleyards on 8 April 2005.

Council's policy on the saleyards has been that we approve specialised sales ie stud sales, but not this type of sale. The issue was discussed between the Director of Administration & Finance and the Manager of Rural Services who both felt that giving exclusive use to one (1) agent is not in the long term interest to the Saleyards. In discussions held earlier this year between Council staff and Agents it was agreed that additional sales needed to be conducted at the Saleyards, however this was on the assumption that all agents would be involved. Consequently, BGA Livestock were advised that Council would not approve an exclusive sale but would fully support a combined Agents Weaner Sale. Discussions were also held with the Manager of BGA Livestock advising of Council's position.

As a result of the above BGA for commercial reasons decided to take the sale to Murgon Saleyards which has resulted in some negative comment about Council's position.

This issue needs to be discussed with all the agents at an Agents meeting to determine just what their position is for the exclusive use of the Saleyards.

This has been provided for the information of Council.

Motion:

Moved Cr Lehmann seconded Cr Moss

That Council endorse the action taken and the issue of exclusive use of the saleyards be discussed further with all Agents.

Carried 9/0

ATTENDANCE

Cr Campbell returned to the meeting

11.3.2 **Managers Report – Rural Services**

Background:

Report Nos: (F1)

The Manager of Rural Services submitted a written report on his duties for the period ended 17 March 2005

Motion:

Moved Cr Carroll seconded Cr Dalton

That the report be received and adopted

Carried 10/0

11.3.3 **Provision of Traps in the Rural Areas**

Background:

The Manager of Rural Services has been receiving a number of requests from rural properties (mainly rural residential) for the supply of cat traps. At present Council provides these traps in urban areas but not in rural areas.

As with other declared pests, such as dingoes, wild pigs etc, it is the landowners responsibility to control these pests on their land.

If Council wishes to take a proactive approach and assist landowners with trapping equipment a number of issues has been raised by the Manager of Rural Services for clarification:

- (a) What declared pests will Council be providing traps for
- (b) Will Council staff be delivering and picking up traps throughout the rural areas or will the recipients be required to pick up and deliver themselves
- (c) Who is responsible for destruction of these pests and what methods of destruction will be used
- (d) What housing facilities will Council have for the delivery of these pests
- (e) If Council provides this service will there be a fee involved

Motion:

Moved Cr Carroll seconded Cr Coleman

That Council make traps available to rural residents for the trapping of rabbits and feral cats subject to the following conditions:

- (a) *Council staff will not deliver the traps. They must be picked up by the recipient and returned by them.*
- (b) *The recipient will be responsible for the destruction of trapped pests.*
- (c) *That the hire period is for a maximum of two (2) weeks from the date of pick up. You may return the trap within this period if you no longer have the use for it.*
- (d) *If the trap is damaged or lost during the period of hire, the recipient may be responsible for costs associated with repairs or replacement*

Further staff be requested to investigate possible traps for other declared pests such as dingoes, wild pigs.

Carried 10/0

12. **MAYOR'S MINUTES**

12.1 **Mayor's Report**

Background:

No report was presented this month due to the Mayor being on leave

13. **GENERAL BUSINESS**13.1 **Local Government Development Programme 2005****Background:**

Report Nos: (E20)

The Director of Engineering Services submitted a written report on the Local Government Development Program 2005 and recommending that Council submit a Places/Facilities application under the Local Government Development Programme 2005 for the construction of a reinforced concrete cycle path/walkway through Earle Park linking Alford Street and Haly Street at an estimated cost of \$37,000 and the Chief Executive Officer and Director of Engineering Services be authorised to complete the detailed application required

Motion:

Moved Cr Shaw seconded Cr Coleman

That the report be received and adopted

Carried 10/0

13.2 **Contract 519 (a) – Supply & Delivery of a Ride-On Mower****Background:**

Report Nos: (E21)

The Director of Engineering Services submitted a written report on Contract 519(a) – Supply & delivery of a ride-on front mower with trade-in or private sale of an existing mower and recommending that the sale of the existing front mower unit be undertaken on a commercial basis

Motion:

Moved Cr Moss seconded Cr Campbell

That the report be received and adopted

Carried 9/1

PROCEDURE**Motion:**

Moved Cr Fleischfresser

That the following motion be taken from the table and considered

Motion:

Moved Cr Dalton seconded Cr Lehmann

That Council approve the service subject to the following conditions:

(a) Rural Restricted Service

UNCONFIRMED

- (b) Maximum allowable consumption – 0.5 mgl / year
- (c) Service is for stock water only
- (d) Headworks payable - \$339.20
- (e) Pressure of service be limited to 300 kpa
- (f) Supply not guaranteed at all times. Minimum of at least three (3) days supply to be stored on site

Carried 10/0

The motion on being put was declared Carried 6/4

CLOSED SESSION

Motion:

Moved Cr Moss seconded Cr Shaw

That the meeting be closed to the public for the purpose of consideration of business for which a public discussion would be likely to prejudice the interests of another person

Carried 10/0

The Chief Executive Officer provided information to Council on allegations made by a complainant who wished to remain anonymous. Public discussion of the matter would be likely to lead to identification of the complainant. The necessary investigation had been conducted and report submitted to the relevant authority which was satisfied that no further action was required.

OPEN COUNCIL

Motion:

Moved Cr Campbell seconded Cr Lehmann

That the meeting resume in Open Council

Carried 10/0

There being no further business the meeting was declared closed

Confirmed before me this day of 2005

MAYOR

UNCONFIRMED