

Minutes of the meeting of the Kingaroy Shire Council, held in the Council Chambers, Glendon Street, Kingaroy on Thursday 26 August 2004 at 9.05 am.

**PRESENT**

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

1. **LEAVE OF ABSENCE**

An apology was received on behalf of Cr Wayne Ford who attended the meeting later

**Motion:**

*Moved Cr Trout seconded Cr Fleischfresser*

*That the apology be received*

*Carried 10/0*

2. **PRAYERS AND CONDOLENCES**

A motion of sympathy was passed to the relatives of the late CHR Kath, CDE Fleischfresser, EM Collins, JT Mulvena, VM Schroder, L Gatt, P Howlett and D Voller

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 Campbell seconded Cr Coleman*

*That the minutes of the previous meeting held on Thursday 22 July 2004 and minutes of the Formal Budget meeting held on the 29 July 2004 as recorded be confirmed.*

*Carried 10/0*

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

SEE BUSINESS FUNCTION HEADINGS

6. **PLANNING AND DEVELOPMENT SERVICES SECTION**

6.1 **Business Arising Out of Minutes**

**DECLARATION OF INTEREST**

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

*The Deputy Mayor assumed the Chair*

- 6.1.1 **O'Reilly Nunn Favier** - Forwarding IDAS Application - Material Change of Use - Rural to Residential and Industrial Lot 10 on RP204229 and part of Lot 12 on RP204229 Owner: Neil & Veronica McCall Applicant: Pegasus Finance & Land Pty Ltd

**Background:**

Report Nos: (A49-A59)

The Manager of Planning Services submitted a written report recommending that Council

- issue a Development Permit (Material Change of Use) to approve the application in part, subject to conditions, and
- provide reasons and advice, and
- make a Consequential Amendment to its Transitional Planning Scheme to reflect the approval (to be implemented after Condition Compliance).

**Motion:**

*Moved Cr Trout seconded Cr Fleischfresser*

*That the report be received and adopted*

*Carried 9/0*

- 6.1.3 **O'Reilly Nunn Favier** - Forwarding IDAS Development Application - Reconfiguration of Boundaries (two lots into three lots) at Lot 2 RP 815644 and Lot 1 FY 2978, Toomeys Road & Bunya Highway - Applicant - Bill McBride O'Reilly Nunn Favier Owner - Muller & McBride

**Background:**

Report Nos: (A17-A23)

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 9/0*

- 6.1.4 **O'Reilly Nunn Favier** - Forwarding an IDAS Application - Material Change of Use - Proposed Rezoning Rural A to Service Industry - Lot 7 SP112069 Rogers Drive Kingaroy - Applicant: Matchgate P/L - Owner: Markral P/L

6.2 **Correspondence**

- 6.2.9 **Robert J & Yvonne V Cope** - Requesting Council consider the inclusion of a Buffer Zone with regards to the development application from Matchgate Pty Ltd for land described as Lot 7 SP112069 Rogers Drive Kingaroy

**Background:**

Report Nos: (A24-A30)

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.

**Motion:**

*Moved Cr Trout seconded Cr Fleischfresser*

*That the report be received and adopted*

*Carried 9/0*

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

- 6.1.5 **O'Reilly Nunn Favier** - Forwarding an IDAS Application - Reconfiguration of Boundaries - One (1) Lot into Seven (7) Lots - Lot 4 RP862347 Rogers Drive Kingaroy - Applicant: Matchgate P/L - Owner: Markral P/L

**Background:**

Report Nos: (A31-A40)

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 9/0*

6.2 **Correspondence**

- 6.2.2 **O'Reilly Nunn Favier** - Forwarding IDAS Development Application for Subdivision of one lot into two lots at 20 Reen Street, Lot 12 RP 36999 - Applicant - O'Reilly Nunn Favier Owner - Mustangs Qld Pty Ltd

**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.

**Motion:**

*Moved Cr Trout seconded Cr Fleischfresser*

*That the report be received and adopted*

*Carried 9/0*

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

**Background:**

A report has not been prepared for this development. The Manager of Planning Services recommended that consideration of the matter be deferred to the September General Meeting.

**Motion:**

*Moved Cr Trout seconded Cr Fleischfresser*

*That consideration of the matter be deferred until the September meeting*

*Carried 9/0*

- 6.2.5 **O'Reilly Nunn Favier** - Forwarding an IDAS Application for Re-alignment of Boundaries - Lot 52 RP171599 & Lot 2 RP850408 - Owner: Ross J & Louise M Taylor and Douglass J Huston - Applicant: O'Reilly Nunn Favier

**Background:**

Report Nos: (A7-A10)

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 9/0*

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

**Background:**

Council has previously determined that it is most appropriate to consider development of this land concurrent to the Planning Scheme review. This position is most prevalent as there is developer interest in other land, not currently identified for development, for rural residential use. It would therefore be appropriate to provide a detailed assessment and a recommendation following closure of public notification.

**Motion:**

*Moved Cr Trout seconded Cr Fleischfresser*

*That the report be assessed and a report be presented to Council at the next meeting for further consideration*

*Carried 9/0*

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

- 6.1.6 **James J King** – Forwarding an IDAS Application for proposed Storage Sheds at 3 Alford Street, Kingaroy – Lot 20 RP 7917 – Applicant: James J King – Owner: Kingaroy & District RSL & Citizens Memorial Club Inc

**Background:**

Report Nos: (A46-A48)

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

**Motion:**

*Moved Cr Trout seconded Cr Fleischfresser*

*That the report be received and adopted*

*Carried 8/1*

**ATTENDANCE**

*The Mayor returned to the meeting and resumed the Chair*

- 6.1.2 **Emanuel S & Yvonne G Diedo** - Forwarding an IDAS Application - Relative's Apartment - Lot 5 RP185462 - 162 Birt Road Kingaroy - Applicant: Emanuel S & Yvonne G Diedo; Owner: Ian J & Mandy L Howsego

**Background:**

Report Nos: (A11-A16)

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

**Motion:**

*Moved Cr Trout seconded Cr Fleischfresser*

*That the report be received and adopted*

*Carried 10/0*

## 6.2 **Correspondence (Cont)**

- 6.2.1 **A & S Charlwood Designs** - Forwarding an IDAS Application - proposed Duplex - Lot 8 RP868330 - 16 Banksia Drive, Kingaroy - Applicant: A & S Charlwood Designs; Owner: Martin & Patricia Mearns

**Background:**

Outstanding procedures include information request response, Concurrence Agency response and 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*

- 6.2.3 **Local Government Association of Queensland Inc** - Draft Guidelines about environmental assessment and public consultation procedures for designating land for community infrastructure under the Integrated Planning Act have been prepared & comments are being sought

**Background:**

Designating land for community infrastructure is a process by which development such as public utilities, transport infrastructure, parks, hospitals, schools et cetera is exempted from assessment under local government planning schemes, and is the process through which the Tarong Rail Corridor has been approved. The proposed IPOLA amendments are to ensure adequate environmental assessment, public consultation, and account of submissions is undertaken.

**Motion:**

*Moved Cr Trout seconded Cr Fleischfresser*

*That the letter be received*

*Carried 10/0*

- 6.2.6 **Wayne Ford** - Forwarding IDAS Development Application for a Mini Shopping Complex at 17 River Road, Kingaroy - Lot 371 on FY2550 - Applicant/Owner: Wayne Howard Ford

**Background:**

Outstanding procedures include information request response, Concurrence Agency 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 10/0*

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

**Background:**

Outstanding procedures include information request response and 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*

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

**Background:**

Outstanding procedures include Concurrence Agency response and 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*

- 6.2.10 **Department of Local Government & Planning** - Forwarding details of the Postcards from Favourite Places Project in conjunction with the Year of the Built Environment 2004

**Background:**

For the information of Council.

**Motion:**

*Moved Cr Trout seconded Cr Fleischfresser*

*That the letter be received*

*Carried 10/0*

- 6.2.11 **Allan N & Helen Swendson** - Forwarding details of proposed names of streets for the Swendson Place Subdivision

**Background:**

The proposed road names are not currently in use in Kingaroy Shire, and are recommended to Council as acceptable for consideration and approval.

**Motion:**

*Moved Cr Trout seconded Cr Fleischfresser*

*That the proposed street names be approved*

*Carried 10/0*

- 6.2.12 **M Baldacchino** - Forwarding IDAS Development Application to subdivide by community title scheme - six (6) lots and Body Corporate - 10-12 Queen Street, Kingaroy - Lot 100 on SP153314

**Background:**

Re-application for Reconfigure a Lot approval is required as Council's previous approval has lapsed. The proposed layout is identical to that approved by Council in May 2002 (Blanck/Nehemiah Developments). The previous conditions of approval have been reviewed and are considered relevant to the current application, subject to typographical corrections to update references and terminology.

It is recommended that Council re-issue the Development Permit (Reconfigure a Lot and Operational Works) subject to minor consistency amendments.

**Motion:**

*Moved Cr Trout seconded Cr Fleischfresser*

*That Council re-issue the Development Permit (Reconfigure a Lot and Operational Works) subject to minor consistency amendments*

*Carried 10/0*

- 6.2.13 **Greg O'Brien & Associates Pty Ltd** - Forwarding an IDAS Application for Material Change of Use (MCU) - Educational Establishment - Childcare Centre - 75-77 & 79-83 Ivy Street, Kingaroy - Applicant: Bilko Pty Ltd, Owner: HC Fiedler Super Fund

**Background:**

Outstanding procedures include information request and response and 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*

- 6.2.14 **Local Government Association of Queensland Inc** - Forwarding circular re opposition to introduction of the Integrated Planning and Other Legislation Amendment Bill (IPOLA 2004) until such time that State Government departments and agencies are required to comply with the regional plan

**Background:**

Council's planning staff attended a seminar on introduction of the IPOLAA on Wednesday 25 August. The Manager of Planning Services reported on significant issues.

**Motion:**

*Moved Cr Lehmann seconded Cr Trout*

*That Council support the Local Government Association position on the matter*

*Carried 10/0*

- 6.2.16 **JM Ward & CJ Fraley** - Requesting that Council approve the minimum height for condition 2 to be raised to a preferable height of 3.4metres re Boundary Setback for 7 Freeman Court

**Background:**

Council, at their October 2003 meeting approved the siting of the garage to within three (3) metres of the front property boundary. Some of the conditions set by Council at this time was that the highest point of the garage is not to exceed 2.2 metres above the height of the kerb and that the garage is to be constructed with similar materials to the house. The garage has been designed in accordance with these requirements, however the height of the shed will be up to 3.4 metres. There will no perceived issues with the height of the garage being 3.4 metres.

**Motion:**

*Moved Cr Trout seconded Cr Shaw*

*That approval to raise the height to 3.4 metres be granted*

*Carried 10/0*

- 6.2.17 **BJ & SA Rutter** - Forwarding a written complaint regarding ongoing noise nuisance from Kingaroy Fitness Centre.

**Background:**

The Manager of Planning Services verbally reported that discussions have been held with the gym proprietors about the complaint and noise generation, but that to date the matter has not been able to be resolved.

**Motion:**

*Moved Cr Trout seconded Cr Dalton*

*That a letter be forwarded pointing out the breaches and inviting the proprietor to advise what action she will be taking to comply with the conditions of the approval*

*Carried 10/0*

6.3 **General Business**

6.3.1 **National Dryland Salinity Conference**

**Background:**

Report Nos: (A41-A45)

The Manager of Planning Services and Natural Resource Management Officer submitted a written report on the conference in Bendigo, Victoria on 2/5 August 2004

**Motion:**

*Moved Cr Trout seconded Cr Campbell*

*That the report be received*

*Carried 10/0*

7. **WATER AND SEWERAGE SERVICES SECTION**

7.1 **Business Arising Out of Minutes**

Nil

7.2 **Correspondence**

Nil

7.3 **General Business**

7.3.1 **Directors Report – Water and Sewerage**

**Background:**

Report Nos: (B1-B5)

The Director of Engineering Services submitted a written report on activities undertaken during the period 15 July to 19 August 2004

**Motion:**

*Moved Cr Dalton seconded Cr Shaw*

*That the report be received*

*Carried 10/0*

7.3.1.1 **Plumbing and Drainage Fees**

**Motion:**

*Moved Cr Dalton seconded Cr Shaw*

*That Council adopt the following fee structure for large, commercial projects:*

**APPROVAL** - \$176.00 plus \$16.00 for each fixture over 1 eg Fee for a 256 fixture project  
- \$4,256

**INSPECTION** – \$238.00 plus \$17.60 for each fixture over 1 eg Fee for a 256 fixture  
project - \$4,726

*Carried 10/0*

7.3.2 **Plans for Approval**

**Background:**

Report Nos: (B6)

The following Plan and Estimate were submitted for Council's approval:

| <b>Plan No</b> | <b>Description</b>   | <b>Estimate</b> |
|----------------|--|-----------------|
| 7540           | Replace Section of Pipe at Kumbia Borefield with DICL Pipe | \$11,394        |

**Motion:**

*Moved Cr Dalton seconded Cr Moss*

*That the Plan and Estimate be approved*

*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** - Forwarding Funding Information Paper 2004/2005 - Cross Government Project to Reduce Social Isolation of Older People - submissions to be lodged by Friday 10 September 2004

**Background:**

Non-recurrent funding of up to \$100,000.00 is available from the Department of Families for projects that improve sustainable community responses to social isolation of older people. The projects are to build on the findings of the first phase of the social isolation project. The target groups are Queenslanders over the age of 55 and who are at risk of isolation or who are socially isolated.

**Motion:**

*Moved Cr Fleischfresser seconded Cr Dalton*

*That the letter be received*

*Carried 10/0*

- 8.2.2 **National Rural Health Alliance** - Forwarding a discussion paper on Older People and Aged Care in Rural, Regional and Remote Australia and seeking comments on the paper by 30 September 2004.

**Background:**

The discussion paper provides an opportunity for rural, regional and remote communities to have a say on how Australia plans for and looks after its older people. The paper concentrates on those in need of care, either in their own homes or in aged care facilities. The premise of the paper is that wherever possible, country people should be able to grow old and find care in their local community.

**Motion:**

*Moved Cr Fleischfresser seconded Cr Dalton*

*That the letter be received and referred to Cr Moss to report to the next meeting*

*Carried 10/0*

- 8.2.3 **RJ & AM Sidebottom** – Requesting permission to keep three dogs at their residence at 8 Jarrah Street Kingaroy

**Background:**

Council in the past has approved the keeping of three (3) dogs subject to certain conditions such as the dogs not causing a nuisance, all dogs to be registered with the Council and when one dog leaves the premises or passes away it will not be replaced.

**Motion:**

*Moved Cr Fleischfresser seconded Cr Campbell*

*That the request be approved subject to the usual conditions*

*Carried 10/0*

8.3 **General Business**

8.3.1 **Directors Report – Health and Building**

**Background:**

Report Nos: (C6-C10)

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

**Motion:**

*Moved Cr Fleischfresser seconded Cr Shaw*

*That the report be received*

*Carried 10/0*

8.3.2 **Waste Management Report**

**Background:**

Report Nos (C1-C5)

The Director of Health & Building submitted a written report on the program for implementation of the alteration to waste management services including a community consultation process

**Motion:**

*Moved Cr Dalton seconded Cr Fleischfresser*

*That the report be received and further consideration be deferred until after public consultation*

*Carried 10/0*

**ADJOURNMENT**

**Motion:**

*Moved Cr Campbell*

*That the meeting adjourn for ten (10) minutes*

*Carried 10/0*

**CITIZENSHIP CEREMONY**

During the adjournment a Citizenship Ceremony was held for:

***Ms Sharon SMITH***

**RESUMPTION**

*The meeting resumed at 10.50 am*

**ATTENDANCE**

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

9. ***CORPORATE AND COMMUNITY SERVICES SECTION***

9.1 ***Business Arising Out of Minutes***

Nil

9.2 ***Correspondence***

- 9.2.1 **Queensland Local Government Workcare Scheme - LGW** - Advising LGW will be forwarding an invoice for 2004/05 membership contribution including details of dividend benefit which takes the form of a 20% reduction in contributions payable for the 2004/05 year

**Background:**

A number of years ago Local Government opted to establish its own self funded workers compensation scheme. Since then the benefits to Council have been enormous through reduced premiums in comparison to what we used to pay under Workcover.

As noted in the letter the strong financial position of the scheme has allowed a significant reduction in our premium for this year.

Our budget provision was for \$55,000 which allowed for a slight increase over last year. Our actual bill is for \$42,347 which will give us a saving of \$12,653 in the budget.

**Motion:**

*Moved Cr Lehmann seconded Cr Shaw*

*That the letter be received and a letter be forwarded congratulating the Local Government Workcare on their performance*

*Carried 9/0*

- 9.2.2 **Minister for Employment Training & Youth & Minister for the Arts** - Advising that requests for 2005 Show Holidays under the Holidays Act 1983 should be made by Friday 17 September 2004 and should provide day & date, name of event, nature of event & community endorsement

**Background:**

For a number of years now, Council has requested the Monday of the Brisbane Exhibition to be gazetted as the show holiday for our Shire. As no requests to the contrary have been received from the Kingaroy Show Society, it is suggested we once again request the Exhibition Monday as our Show Holiday.

**Motion:**

*Moved Cr Lehmann seconded Cr Moss*

*That Council apply for the show holiday to be held on the Monday of the Brisbane Exhibition for 2005*

*Carried 9/0*

- 9.2.3 **Fraser Coast South Burnett Regional Tourism Board** - Advising Larry Monk has resigned from his position as General Manager of Fraser Coast South Burnett Regional Tourism Board

**Background:**

Mr Monk has been extremely helpful and supportive of Council's Tourism initiatives. We will maintain our contact with Larry through his new position with Hervey Bay City Council. It is recommended that Council formally thank Mr Monk for his contribution to Tourism in the South Burnett.

**ATTENDANCE**

Cr Dalton returned to the meeting

**Motion:**

*Moved Cr Lehmann seconded Cr Campbell*

*That Council formally thank Mr Monk for his contribution to Tourism in the South Burnett and extend best wishes for the future*

*Carried 10/0*

- 9.2.4 **Department of Local Government & Planning** - Forwarding details and schedules of Council's cash allocation of the 2004-05 Commonwealth Financial Assistance Grant

**Background:**

Council's budget was framed on receiving the same grant as last year which was \$1,793,700. Our actual allocation for this year is \$1,826,535 an increase of around \$32,800.

**Motion:**

*Moved Cr Lehmann seconded Cr Fleischfresser*

*That the letter be received*

*Carried 10/0*

- 9.2.5 **Orange City Council** - Forwarding an invitation to Australian Local Government Womens Conference to be held in Orange, New South Wales

**Background:**

Unless some Councillors wish to attend, no further action is required

**Motion:**

*Moved Cr Lehmann seconded Cr Coleman*

*That the letter be received*

*Carried 10/0*

- 9.2.6 **Sunshine Coast Helicopter Rescue - Energex** - Forwarding details of the Silver Anniversary event to be held on Saturday 27 November 2004 and requesting a Council representative attend

**Background:**

Council supports the Sunshine Coast Helicopter Rescue Service by way of a donation each year. However, attendance at the Gala Dinner would normally be on a voluntary basis with Councillors and Staff, meeting their own costs

**Motion:**

*Moved Cr Lehmann seconded Cr Trout*

*That the letter be received*

*Carried 10/0*

- 9.2.7 **South Burnett Ministries Management Ltd - Lyle & Anthea Slinger** - Requesting Council consider making a donation to South Burnett Ministries equal to the amount that churches would normally be allowed to qualify for as a concession in the area of General and Special Rates for Lot 1 RP199604

**Background:**

While the premises on Lot 1 RP 199604 is used by South Burnett Ministries as a Church, the land is owned by L & A Slinger. Section 957 of the Local Government Act and Section 36 of the Local Government Regulation clearly states that in order for Council to grant a rating exemption the land must be owned by the religious entity. Consequently, Council cannot grant them an exemption under the Act.

Last year Council agreed to make a donation equal to the valuation based rates and provision has been made in the budget to allow Council to do so again this year. The nett rates this year will be \$1,347.88.

**Motion:**

*Moved Cr Moss seconded Cr Campbell*

*That a donation equal to the valuation based rates be provided*

*Carried 10/0*

- 9.2.8 **Kingaroy Lions Club** – Requesting Council to waive the fee to hire refuse bins for their Charity Rodeo being held on 25 September 2004

**Background:**

Council's adopted a policy in 2002 stating that we do not waive fees for the hire of refuse bins of events functions etc

**Motion:**

*Moved Cr Campbell seconded Cr Coleman*

*That Council make a donation equal to the rental fee for the hire of refuse bins*

*Carried 10/0*

9.3 **Monthly Financial Statements**

**Background:**

Report Nos: (D19-D24)

The Financial Statements for the period ended 25 August 2004 were presented for Council's approval

**Motion:**

*Moved Cr Lehmann seconded Cr Shaw*

*That the Financial Statements for the period ended 25 August 2004 be received and adopted*

*Carried 10/0*

9.4 **General Business**

9.4.1 **Managers Report – Library Services**

**Background:**

Report Nos: (D1-D2)

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

**Motion:**

*Moved Cr Lehmann seconded Cr Shaw*

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

*Carried 10/0*

9.4.2 **Centenary of Kingaroy Committee Meeting**

**Background:**

Report Nos: (D3-D6) (D7-D9)

The Centenary of Kingaroy Committee reported in accordance with the minutes of the meetings held on 13 July 2004 and 26 July 2004

**Motion:**

*Moved Cr Fleischfresser seconded Cr Lehmann*

*That the reports be received and adopted*

*Carried 10/0*

**DECLARATION OF INTEREST**

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

**9.4.3 Application to Reduce Base Water Charges - Trout**

**Background:**

Report Nos: (D10-D12)

The Manager of Rating & Property submitted a written report on LB & LJ Trout's property at Lot 2 Trouts Road, Kingaroy – application to reduce the base water charges due to installation of dam and subdivision of piggery enterprise and recommending that Council reduce the base water units for Trouts Road, Kingaroy from 46 units to 25 units, subject to further reduction upon examination of three (3) months separate consumption for both the Trout's piggery on Lot 262, and the Butler's piggery on Lots 2 & 3.

**Motion:**

*Moved Cr Lehmann seconded Cr Campbell*

*That the report be received and adopted*

*Carried 9/0*

**ATTENDANCE**

*Cr Trout returned to the meeting*

**9.4.4 Application to remove property from Large Water Users List - Ploetz**

**Background:**

Report Nos: (D13-D14)

The Manager of Rating & Property submitted a written report on PHG Ploetz's property at 271 Weens Road, Kingaroy – Application to remove property from "Large Water Users" list – reduce water charge form three (3) units to one (1) unit and recommending that Council reduce the base water units for 271 Weeks Road, Kingaroy from three (3) units to one (1) unit on the condition that should the water consumption increase to previous levels, the base water charge calculation shall revert to the standard method using historical consumption

**Motion:**

*Moved Cr Lehmann seconded Cr Campbell*

*That the report be received and adopted*

*Carried 10/0*

#### 9.4.5 Chief Executive Officer – Annual Leave

**Background:**

Proposed dates for Annual Leave for the Chief Executive Officer – 2 October 2004 to 24 October 2004 (inclusive). It would be normal practice to appoint the Director of Engineering Services as Acting Chief Executive Officer during this period, however he will also be absent attending an Annual Conference

**Motion:**

*Moved Cr Campbell seconded Cr Fleischfresser*

*That the Chief Executive Officer be granted leave from 2 October 2004 to 24 October 2004 inclusive and the Director of Engineering Services be appointed as Acting Chief Executive Officer during the period of leave of the Chief Executive Officer and that in the absence of the Director of Engineering Services the Director of Administration & Finance act in the position of Chief Executive Officer*

*Carried 10/0*

#### 9.4.6 National General Assembly of Local Government

**Background:**

The National General Assembly of Local Government will be held in Canberra from 7/10 November 2004. Council is normally represented by the Mayor and Deputy Mayor, however the Mayor will be unavailable due to attendance at the Australian Airport Owners Conference. Council may wish to appoint a second delegate to accompany the Deputy Mayor

**Motion:**

*Moved Cr Moss seconded Cr Lehmann*

*That Cr Campbell be appointed as second delegate to attend the National General Assembly of Local Government and if he is unable to attend Cr Coleman be appointed as second delegate*

*Carried 10/0*

#### 9.4.7 Amendment to Constitution of Kingaroy Private Hospital Limited

**Background:**

Report Nos: (D15-D16)

The Chief Executive Officer presented a written report on proposed amendments to the Constitution of the Kingaroy Private Hospital Limited – a Company of which Council is the sole member

**Motion:**

*Moved Cr Fleischfresser seconded Cr Lehmann*

*That as sole member of Kingaroy Private Hospital Limited ("the company"), the Council agrees to amend the constitution of the company as detailed hereunder:*

1. *The Constitution of the Company be amended by inserting the following definition in Rule 1.2:*

*"Gift Fund – The South Burnett Community Private Hospital Gift Fund".*

2. *The Constitution be amended by inserting the following Sub-rule 4.9(13):*

*"The Directors must ensure that the assets and income of the Company are applied solely in furtherance of the objects for which it was incorporated and no portion is distributed directly or indirectly to Members except as bona fide compensation for services rendered or expenses incurred on behalf of the Company."*

3. *The Constitution of the Company be amended by inserting the following Part 13:*

*"Part 13: Establishment and Operation of the Gift Fund*

#### *13.1 Maintaining the Gift Fund*

*The Company must maintain for the principle purpose of the Gift Fund a fund:*

- (1) to which gifts of money or property for the purpose are to be made;*
- (2) to which any money received by the Company because of those gifts is to be credited; and*
- (3) that does not receive any other money or property.*

#### *13.2 Limits on Use of Gift Fund*

*The Company must use the following for the principal purpose of the Gift Fund:*

- (1) gifts made to the Gift Fund; and*
- (2) any money received because of those gifts.*

#### *13.3 Winding Up*

*If the Gift Fund is wound up or if the endorsements (if any) of the Company as a deductible gift recipient for the operation of the Gift Fund is revoked, any surplus assets of the fund remaining after payment of liabilities attributable to it shall be transferred to a fund, authority or institution to which income tax deductible gifts can be made under the Income Tax Acts.*

#### *13.4 Bank Account*

*The Company must maintain a separate bank account for the Gift Fund.*

#### *13.5 Gift Fund form part of the Company*

*It is declared that the Gift Fund forms part of the Company."*

*Carried 10/0*

## **9.4.8 Country Council Meetings**

### **Background:**

Council normally conducts a number of Council meetings in the rural areas of the Shire. An invitation has been received from the Farmers Hall Inverlaw Inc. Council may wish to consider its Country meeting program for the balance of the year.

For your information a list of Country Council Meetings for the last five (5) years is listed below:

- March, 2003 – Inverlaw Farmers Hall, Inverlaw
- October, 2002 – Chahpingah Hall, Burrandowan
- October, 2000 – Chahpingah Hall, Burrandowan
- October, 1999 – Kumbia Memorial Hall, Kumbia
- March, 1999 – Wooroolin Memorial Hall, Wooroolin

**Motion:**

*Moved Cr Lehmann seconded Cr Carroll*

*That the following be the order for Country Council meetings for the duration of this Council – Wooroolin, Kumbia, Chahpingah and Inverlaw and a letter be sent to Farmers Hall Inverlaw Inc thanking them for their invitation and advising them of the decision*

*Carried 10/0*

**9.4.9 Application to Reduce Base Water Charges – Club Hotel**

**Background:**

The Manager of Rating & Property submitted a written report on PJ & JA Cowling & TJ & C Cowling (Club Hotel) – property at 169-173 Kingaroy Street, Kingaroy - Application to reduce the base water charges and recommending that Council reduce the base water units for the Kingaroy Club Hotel from 12 units to 5 units.

**Motion:**

*Moved Cr Lehmann seconded Cr Trout*

*That the report be received and adopted*

*Carried 10/0*

**10. WORKS AND SERVICES SECTION**

**10.1 Business Arising Out of Minutes**

Nil

**10.2 Correspondence**

**DECLARATION OF INTEREST**

Cr Trout and Cr Campbell declared an interest in the following matter and left the meeting

**10.2.1 BGA Agri Services Pty Ltd** - Requesting Council remove three Camphor Laurel Trees sited in front of the AgriServices Warehouse store in Youngman Street

**Background:**

The "trees" in Youngman Street between the Kingaroy Showgrounds entrance and River Road have been raised on a number of occasions in recent years. On each occasion a safety assessment has been undertaken and trees not meeting the safety/visibility requirements have been removed.

As Youngman Street is a Declared Main Road, a copy of this letter was forwarded to the Department of Main Roads for their consideration. The Department has now advised that they are prepared to meet the costs of the removal of the trees.

**Motion:**

*Moved Cr Coleman seconded Cr Shaw*

*That the three (3) camphor laurel trees in front of BGA Agri Services Pty Ltd be removed and their offer to replant the gardens adjacent to these trees not be accepted.*

*Carried 7/1*

**ATTENDANCE**

*Cr Trout and Cr Campbell returned to the meeting*

**Motion:**

*Moved Cr Lehmann seconded Cr Coleman*

*That Council consider incentives for landscaping of businesses and industrial premises*

*Carried 10/0*

**10.3 General Business**

**10.3.1 Directors Report – Engineering Services**

**Background:**

Report Nos: (E1-E8)

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 16 July to 19 August 2004

**Motion:**

*Moved Cr Campbell seconded Cr Moss*

*That the report be received and a letter be forwarded congratulating our Natural Resources Management Officer and the Greencorps workgroup involved in the implementation of onground works in the Kingaroy Shire*

*Carried 10/0*

**10.3.1.1 Traffic Matters**

**Motion:**

*Moved Cr Campbell seconded Cr Shaw*

*That "Give Way" signs be placed in Hodge Street at each of the Prince Street, Earl Street and Duke Street intersections*

*Carried 10/0*

**10.3.2 “Education Training Reforms for the Future” Meeting Report****Background:**

Report Nos: (E9)

Cr Coleman presented a written report on attendance at an Education Training Reforms for the Future Council Meeting on 19 August 2004 in Kingaroy

**Motion:**

*Moved Cr Trout seconded Cr Dalton*

*That the report be received*

*Carried 10/0*

**10.3.3 Plans for Approval****Background:**

Report Nos: (E10)

The following Plan and Estimate were submitted for Council’s approval:

| <b><i>Plan No</i></b> | <b><i>Description</i></b>   | <b><i>Estimate</i></b> |
|-----------------------|---|------------------------|
| 2163                  | New Footpath and Kerb and Channel outside Kingaroy State High School (Avoca Street) | \$40,105               |

**Motion:**

*Moved Cr Campbell seconded Cr Dalton*

*That the Plan and Estimate be approved*

*Carried 10/0*

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

Nil

**11.2 Correspondence****11.2.1 National Saleyards Quality Assurance Ltd - Calling for nominations for the position of director for 2004/2005 for National by 13 August 2004****Background:**

Unless Council wishes to make a nomination for the position of director, no further action is required

**Motion:**

*Moved Cr Carroll seconded Cr Moss*

*That the letter be received*

*Carried 10/0*

- 11.2.2 **Local Government Association of Queensland Inc** - Advising that the funding under National Feral Animal Control Program (NFACP) is now available for projects contributing to the development of better pest animal management approaches

**Background:**

Council does not have any projects ready to be lodged under this scheme and unfortunately the amount of work on our Natural Resource Management Officer's program for this year prevents her from preparing a project in time for this round of funding. However, the program will be kept in mind for a possible project for submission in next years program

**Motion:**

*Moved Cr Carroll seconded Cr Coleman*

*That the letter be received*

*Carried 10/0*

- 11.2.3 **Local Government Association of Queensland Inc** - Advising the Australian Government is now calling for applications for funding local & regional community Landcare projects from the Community Support component (up to \$25 million) of the National Landcare Program (NLP)

**Background:**

Funding under this program is not available to Local Government. However our Natural Resource Management Officer is working closely with local Community Landcare groups for various projects to be lodged

**Motion:**

*Moved Cr Carroll seconded Cr Moss*

*That the letter be received*

*Carried 10/0*

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 19 August 2004

**Motion:**

*Moved Cr Carroll seconded Cr Trout*

*That the report be received and adopted*

*Carried 10/0*

### 11.3.2 **South East Queensland Pest Advisory Forum**

**Background:**

Report Nos: (F2)

Cr Carroll submitted a written report on attendance by Garry Rackemann and himself at a South East Queensland Pest Advisory Forum held in Kilkivan on Wednesday 4 August 2004

**Motion:**

*Moved Cr Carroll seconded Cr Campbell*

*That the report be received*

*Carried 10/0*

### 12. **MAYOR'S MINUTES**

#### 12.1 **Mayor's Report**

**Background:**

Report Nos: (G1-G4)

The Mayor presented his monthly report covering the period 23 July 2004 to 26 August 2004

**Motion:**

*Moved Cr Lehmann seconded Cr Shaw*

*That the Mayors report be received and Council agree to participate in the employment of a South Burnett Natural Resources Management Officer*

*Carried 10/0*

### **ADJOURNMENT**

**Motion:**

*Moved Cr Trout*

*That the meeting adjourn until 1.30 pm*

*Carried 10/0*

### **RESUMPTION**

*The meeting resumed at 1.37 pm with attendance as previous to the Adjournment*

### 13. **GENERAL BUSINESS**

#### **ATTENDANCE**

*Cr Ford entered the meeting*

**13.1 Demonstration of Technology used as part of Inspection Program**

**Background:**

A demonstration was presented to Council on the technology that is currently being used as part of the inspection program. The inspection program is a house to house survey to identify unregistered dogs. The technology includes the use of hand held PCs and the utilisation of the information that is contained in Council’s animal register and rating system.

**CLOSED SESSION**

**Motion:**

*Moved Cr Lehmann seconded Cr Campbell*

*That the meeting be closed to the public for the purpose of discussing grant funding applications on the basis that a public discussion could be likely to prejudice the interests of the applicant*

*Carried 11/0*

**OPEN COUNCIL**

**Motion:**

*Moved Cr Fleischfresser seconded Cr Ford*

*That the meeting resume in Open Council*

*Carried 11/0*

The Mayor reported that whilst in Closed Session, Council considered the principals of support for grant funding applications for Regional Projects. Council also discussed confidential matters in relation to the proposed Pilot Facility at the Kingaroy Airport and the proposed Retirement Village on the old Council Depot site.

**Motion:**

*Moved Cr Lehmann seconded Cr Campbell*

*That the Mayors report be received*

*Carried 11/0*

**13. GENERAL BUSINESS**

**13.1 Inspection of Refuse Facilities**

**Background:**

A tour of the Memerambi and Wooroolin transfer stations was conducted to explain on site to councillor’s the initiatives proposed in the waste management area.

There being no further business the meeting was declared closed

Confirmed before me this ..... day of ..... 2004

**MAYOR**