

Minutes of the meeting of the Kingaroy Shire Council, held in the Council Chambers, Glendon Street, Kingaroy on Wednesday, 25 January 2006 at 9.00 am.

PRESENT

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

1. ***LEAVE OF ABSENCE***

Cr WM Moss

Motion:

Moved Cr Trout seconded Cr Fleischfresser

That the apology be accepted and Leave of Absence be granted

Carried 10/0

2. ***PRAYERS AND CONDOLENCES***

A motion of sympathy was passed to the relatives of the late Gladys Anderson, Eldred Lange, Dulcie Harley, George Dahl, Norma Sorensen, Ailsa Salter, Valerie Budgen, Gertrude Elliott and Danielle Peterson

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 Shaw seconded Cr Lehmann

That the minutes of the previous meeting held on Thursday 22 December 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

6. **PLANNING AND DEVELOPMENT SERVICES SECTION**

DECLARATION OF INTEREST:

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

The Deputy Mayor assumed the Chair

6.2 **Correspondence**

- 6.2.1 **Derek & Sonia Whitehouse** - Lodging a submission to the IDAS Application - Proposed Recycling Depot & Subdivision at River Road Kingaroy - Lot 5 RP909634- Applicant: W; V & W Henningsen & HJ Burrows; Owner: WE Henningsen
- 6.2.7 **Peter & Leah Frohloff** - Forwarding an objection to the Proposed Recycling Depot & Subdivision at River Road Kingaroy - Lot 5 RP909634- Applicant: W; V & W Henningsen & HJ Burrows; Owner: WE Henningsen
- 6.2.12 **Glen R & Dianne M Eyre** - Forwarding an objection to the Proposed Recycling Depot & Subdivision at River Road Kingaroy - Lot 5 RP909634- Applicant: W; V & W Henningsen & HJ Burrows; Owner: WE Henningsen
- 6.2.16 Col Parker - Forwarding an objection to the Proposed Recycling Depot & Subdivision at River Road Kingaroy - Lot 5 RP909634- Applicant: W; V & W Henningsen & HJ Burrows; Owner: WE Henningsen
- 6.2.15 **Lynne Hugg** - Forwarding an objection to the Proposed Recycling Depot & Subdivision at River Road Kingaroy - Lot 5 RP909634- Applicant: W; V & W Henningsen & HJ Burrows; Owner: WE Henningsen

Background:

Outstanding procedures include acknowledgement notice and public notification

Motion:

Moved Cr Trout seconded Cr Campbell

That consideration of the matter be deferred pending completion of the required procedures

Carried 9/0

- 6.2.6 **O'Reilly Nunn Favier** - Forwarding a Town Planning Report accompanying IDAS Application to Reconfigure a Lot - 1 Lot into 46 Lots - Banksia Drive, Kingaroy - Lot 199 RP868331. Applicant: O'Reilly Nunn Favier Owner: Harris Family Trust

Background:

Report pending completion of assessment

Motion:

Moved Cr Trout seconded Cr Fleischfresser

That consideration of the matter be deferred pending completion of the Assessment Report

Carried 9/0

- 6.2.10 **O'Reilly Nunn Favier** - Forwarding an amended application for IDAS Development Application for Reconfiguration of Boundaries - Lot 101 on SP184600 - Stage Four Premier Residential Estate. Applicant: Sure Frank Trust.

Background:

Report pending completion of assessment

Motion:

Moved Cr Trout seconded Cr Fleischfresser

That consideration of the matter be deferred pending completion of the Assessment Report

Carried 9/0

- 6.2.13 **O'Reilly Nunn Favier** - Forwarding a request for a negotiated decision and providing reasons in relation to RAL 1 Parks Contribution for Reconfiguration of Boundaries - 13 Fisher Street - Lot 80 RP49433 - Applicant: Kevin Lee

Background:

Report pending completion of assessment

Motion:

Moved Cr Trout seconded Cr Fleischfresser

That consideration of the matter be deferred pending completion of the Assessment Report

Carried 9/0

6.3 **General Business**

- 6.3.1 **Update on Weens Road appeal – Proposed Winery and Community Title Scheme - Lot 1 RP 36985, Weens Road Kingaroy**

Background:

Report Nos: (A26)

The Manager of Planning Services submitted a written report updating Council on the Weens Road Appeal - Proposed Winery and Community Title Scheme - Lot 1 RP 36985, Weens Road Kingaroy

Motion:

Moved Cr Trout seconded Cr Fleischfresser

That the report be received

Carried 9/0

ATTENDANCE:

The Mayor returned to the meeting and resumed the Chair

6.1 **Business Arising Out of Minutes**

- 6.1.1 **Swickers Kingaroy Bacon Factory** - Forwarding an IDAS Application - Material Change of Use - Effluent Irrigation at Lot 32 RP886211 - 206 Kingaroy Barkers Creek Road Kingaroy - Applicant/Owner: Swickers Kingaroy Bacon Factory P/L
- 6.1.2 **Dorothy M Slinger** - Lodging a submission to the IDAS Application - Material Change of Use - Effluent Irrigation at Lot 32 RP886211 - 206 Kingaroy Barkers Creek Road Kingaroy - Applicant: Kingaroy Swickers Bacon Factory
- 6.1.3 **Mrs WE Gilder** - Forwarding an objection to Swickers Kingaroy Bacon Factory pumping effluent onto farmland in Tessmans Road
- 6.1.4 **Mrs Margot Behrens** - Forwarding an objection to Swickers Kingaroy Bacon Factory pumping effluent onto farmland in Tessmans Road
- 6.1.5 **W & S Knight** - Forwarding an objection to proposed Material Change of Use - Lot 32 RP886211 - Effluent Irrigation - 2-28 Tessmans Road Kingaroy
- 6.1.6 **LG Easterby** - Lodging a submission to the IDAS Application - Material Change of Use - Effluent Irrigation at Lot 32 RP886211 - 206 Kingaroy Barkers Creek Road Kingaroy - Applicant: Kingaroy Swickers Bacon Factory
- 6.1.7 **Bunya Pines Body Corporate** - Forwarding a submission in relation to proposed Material Change of Use - Lot 32 RP886211 - Effluent Irrigation - 2-28 Tessmans Road Kingaroy - Swickers Kingaroy Bacon Factory

Background:

Report Nos: (A7-A23)

The Manager of Planning Services and Planning Officer submitted a written report recommending that Council issue a Preliminary Approval (Material Change of Use) subject to advice, and that any subsequent application for a Development Permit be exempted from further public notification

Motion:

Moved Cr Trout seconded Cr Fleischfresser

That the report be received and adopted

Carried 10/0

6.2 **Correspondence**

- 6.2.2 **Tony C & Julie A Pantlin** - Requesting the previous application for a feedlot be withdrawn and forwarding an IDAS Application for Material Change of Use - 49 SCU feedlot and farming - 718 Reedy Creek Road - Lot 6 SP156293. Owner/Applicant: Tony & Julie Pantlin

Background:

This is a resubmitted application as the previous application lapsed after non-compliance with statutory time frames. Outstanding procedures include Information Request, Concurrence Agency response and Public Notification.

Motion:

Moved Cr Trout seconded Cr Campbell

That consideration of the matter be deferred pending completion of the required procedures

Carried 10/0

- 6.2.3 **Mark G & Dorothy J Patterson** - Requesting permission to build a shed on vacant land at 23-33 Count Street, Memerambi - Lot 6 M5423

Background:

Report Nos: (A27-A30)

The Planning Officer submitted a written report recommending that Council accede to the request subject to the shed being used for domestic storage purposes only and that advice be offered regarding status of the Material Change of Use application for a Dwelling House

Motion:

Moved Cr Trout seconded Cr Shaw

That the report be received and adopted

Carried 10/0

- 6.2.4 **Mark G & Dorothy J Patterson** - Forwarding an IDAS Application for Material Change of Use to erect a dwelling house on land zoned Village B - 23-33 Count Street, Memerambi - Lot 6 M5423. Owner/Applicant: Mark Patterson

Background:

Outstanding procedures include information request/response and Public Notification

Motion:

Moved Cr Trout seconded Cr Coleman

That consideration of the matter be deferred pending completion of the required procedures

Carried 10/0

- 6.2.5 **DL Wolski** - Requesting permission to construct a shed on vacant land at 94 Windsor Circle, Kingaroy - Lot 143 SP184628

Background:

Report Nos: (A1-A2)

Application approved by delegated authority on 13 January 2006. Refer to the Planning Officer's report for information.

Motion:

Moved Cr Trout seconded Cr Shaw

That the report be received and it be noted that the application has been approved by delegated authority

Carried 10/0

- 6.2.8 **Rodger B & Denise T Wiggins** - Forwarding an IDAS application for development permit to re-align a boundary - Weens Road, Kingaroy - Lots 1,2 & 3 RP187618.
Owner/Applicant: RB & DT Wiggins

Background:

Report pending completion of assessment

Motion:

Moved Cr Trout seconded Cr Campbell

That consideration of the matter be deferred pending completion of the Assessment Report

Carried 10/0

- 6.2.9 **Peter J & Kerrie McEvoy** - Requesting permission to construct a shed on vacant land at Lot 51 Brittany Court, Kingaroy

Background:

Report Nos: (A24-A25)

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

Motion:

Moved Cr Trout seconded Cr Coleman

That the report be received and adopted

Carried 10/0

DECLARATION OF INTEREST:

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

- 6.2.11 **Cr KM & Mrs ME Campbell** - Requesting permission to construct extensions to their existing residence closer to the neighbouring property that current regulations permit at 47 Webster Street, Kingaroy

Background:

Report Nos: (A3-A6)(A31-A32)

The Assistant Building Surveyor submitted a written report recommending that the request not be approved

The Director of Engineering & Development Services submitted a written report providing further information

Motion:

Moved Cr Dalton seconded Cr Trout

That the applicants be advised further information is required in support of the application to allow assessment. As a minimum this should include:

- *Survey by a licensed surveyor identifying the location of the house in relation to the side boundary and indicating the exact distance from the boundary.*
- *Detailed site plan*
- *Supporting information addressing the amenity provision*
- *Any other necessary information reasonably necessary to fully investigate the matter*

Carried 9/0

ATTENDANCE:

Cr Campbell returned to the meeting

- 6.2.14 **Lindsay & Rhonda Kath** - Forwarding an IDAS Application for development permit for Material Change of Use for proposed Bed & Breakfast Farmstay - 736 Deep Creek Road, Inverlaw - Lot 271 FY450 Owner: Olive Kath; Applicant: Lindsay & Rhonda Kath

Background:

Outstanding procedures include acknowledgement notice and public notification

Motion:

Moved Cr Trout seconded Cr Campbell

That consideration of the matter be deferred pending completion of the required procedures

Carried 10/0

- 6.2.17 **Colin M Muller** - Forwarding a request to change an existing approval to relocate car parking area at 24-28 Albert Street, Kingaroy - Lot 6 RP861174

Background:

The applicant proposes to relocate the approved off-street car parking area to the north-east corner of the allotment, constituting a minor change to the Kingaroy Lodge MCU approval. The adjoining land is undeveloped Special Uses land owned by St Marys Catholic Church. The proposed change is considered acceptable subject to sealing of the driveway to the carport, maintenance of the minimum number of required on-site parking spaces (6) and maintaining appropriate setback distances to the property boundaries.

Motion:

Moved Cr Trout seconded Cr Shaw

That Council advises that the proposed change is considered acceptable subject to sealing of the driveway to the carport, maintenance of the minimum number of required on-site parking spaces (6) and maintaining appropriate setback distances to the property boundaries and services and the matter be approved by delegated authority

Carried 10/0

- 9.2.3 **Local Government Association of Queensland Inc (LGAQ)** - Circular 2005-422: Seeking comments by Friday 24 February 2005 in relation to the Draft Reports - Conservation of Australia's Historic Heritage Places

Background:

Report pending completion of assessment

Motion:

Moved Cr Trout seconded Cr Lehmann

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

Carried 10/0

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

Nil

7.2 Correspondence

- 7.2.1 **Kingaroy Piggeries Pty Ltd** - Requesting Council confirm the sale of it's 90 megalitre water allocation from the Boyne-Tarong water pipeline and forward a draft agreement.

Background:

Council have previously agreed in principle to the temporary transfer of the allocation either through a tender process or engaging Sunwater to sell the temporary rights on Council's behalf. Council cannot sell the allocation as it will then lose the rights to the water. In negotiating the transfer the Council will have to allow for an emergency provision that allows for Council to access the water in an emergency. It is anticipated that the Chief Executive Officer and Director of Engineering and Development Services will undertake the negotiations and draft the agreement if possible.

Motion:

Moved Cr Lehmann seconded Cr Dalton

That Council reaffirm it previous decision to market the water for temporary transfer

Carried 10/0

7.3 **General Business**

7.3.1 **Directors Report – Water and Sewerage**

Background:

Report Nos: (B1-B3)

The Director of Engineering & Development Services submitted a written report on activities undertaken during the period 12 December 2005 to 10 January 2006

Motion:

Moved Cr Dalton seconded Cr Campbell

That the report be received

Carried 10/0

8. **HEALTH SERVICES SECTION**

8.1 **Business Arising Out of Minutes**

Nil

8.2 **Correspondence**

8.2.2 **Local Government Association of Queensland Inc (LGAQ)** - Circular 2005-417: Requesting comments by Wednesday 1 February 2006 in relation to the Public Inquiry into Waste Generation and Resource Efficiency

Background:

This inquiry has the potential to shape the future of waste management (including recycling). Given the importance and relevance of the matter, it is recommended that a response be provided to the Local Government Association for their submission to the Productivity Commission.

Motion:

Moved Cr Fleischfresser seconded Cr Shaw

That a response be provided to the Local Government Association for their submission to the Productivity Commission.

Carried 10/0

8.2.3 **Marg & Lex Rattray** - Requesting permission to keep three (3) poodles at 16 Reen Street, Kingaroy

Background:

An inspection of the proposed property has been undertaken. There are some issues with the condition of one of the fence lines, and it is recommended that the necessary repairs be carried out prior to the dogs being brought to the property. Apart from this, there appears to be no other issues. It is recommended that approval be granted subject to the usual conditions being applied.

Motion:

Moved Cr Fleischfresser seconded Cr Dalton

That approval be granted subject to the usual conditions being applied

Carried 10/0

- 8.2.4 **Smorgon Steel Recycling** - Requesting Council participate in "The Great Scrap Round-Up" by allocating some land space to act as holding sites for collection of scrap metal

Background:

Kingaroy landfill is the logical location for the temporary storage of scrap metal that is collected as part of The Great Scrap Round-up. I have had discussions with Smorgon Steel regarding the operation of the landfill (which they are fairly familiar with, as they currently remove the scrap metal from the landfill). The concern is with the amount of scrap that will be removed by scavengers. With the works soon to commence at the landfill, they are prepared to wait for the upgrade works to be completed before utilising the site.

Motion:

Moved Cr Fleischfresser seconded Cr Lehmann

That the letter be received, Council agree in principle and the advice given be confirmed

Carried 10/0

8.3 **General Business**

8.3.1 **Directors Report – Environment Health & Community Services**

Background:

Report Nos: (C1-C11)

The Director of Environment, Health and Community Services submitted a written report on the Department activities for the month of December 2005

Motion:

Moved Cr Fleischfresser seconded Cr Campbell

That the report be received and a report be prepared on the alternatives and costings for future waste collection

Carried 10/0

9. **CORPORATE AND COMMUNITY SERVICES SECTION**

9.1 **Business Arising Out of Minutes**

Nil

9.2 **Correspondence**

- 9.2.1 **South Burnett National Show Society** - Seeking sponsorship for the Centenary of the Kingaroy Show Society to be held 28 & 29 April 2006

Background:

In 2005 Council provided sponsorship of \$150 towards the photographic competition, \$400 towards the woodchop and \$400 towards some other section of the show. Council also granted a 50% concession on hall fees for the Show Ball

As this is the Centenary of the Kingaroy Show Society Council may wish to consider some additional assistance this year

Motion:

Moved Cr Lehmann seconded Cr Campbell

That Council provide the usual sponsorship and discussions be held with the Show Society on additional assistance required

Carried 10/0

- 9.2.2 **Minister for Small Business Information Technology Policy** - Requesting comments by 31 March 2005 in relation to the review of 'Hot Spots' for Regulatory Reform to reduce the regulatory burden for businesses by identifying where regulation is considered excessive

Background:

We have been requested to provide our views on regulation at all levels of government, especially where there are overlaps. The closing date for submission is the 31 March 2006. It is suggested Councillors and staff review regulations and provide information on any areas considered could be improved and the matter be considered further at the March meeting

Motion:

Moved Cr Lehmann seconded Cr Shaw

That consideration of the matter be referred to the February General meeting and a copy of the letter be forwarded to the Kingaroy Chamber of Commerce & Industry Inc for their comment

Carried 10/0

- 9.2.4 **Ross & Fiona Ezzy** - Requesting Council provide a 50% concession on excess water charge due to burst pipe from increase in water pressure at 23 Moore Street, Kingaroy

Background:

Report Nos: (D45-D46)

The Manager Rating & Property submitted a written report recommending that Council advise that it is unable to accede to Mr & Mrs Ezzy's request to provide a 50% reduction in water usage charges and that Council offer the option of paying off the next half-yearly rate notice, without attracting the usual interest charges.

Motion:

*Moved Cr Lehmann seconded Cr Woods
That the report be received and adopted*

Lost 4/6

Motion:

Moved Cr Dalton seconded Cr Shaw

That Council agree on a without prejudice basis to a fifty percent reduction in the relevant water usage charges on the basis that the break may have been contributed to by the upgrade in water pressure, and Council reinforce it's policy of not refunding water charges for normal maintenance breaks. Further, that for future upgrades of this nature, Council advise the residents where possible of consequences of the upgrade

...

ADJOURNMENT:

Motion:

*Moved Cr Woods
That the meeting adjourn for ten (10) minutes*

Carried 10/0

RESUMPTION:

The meeting resumed at 11.05 am with attendance as previous to the Adjournment

9. CORPORATE AND COMMUNITY SERVICES SECTION (CONT)

9.2 Correspondence

9.2.4 Ross & Fiona Ezzy - Requesting Council provide a 50% concession on excess water charge due to burst pipe from increase in water pressure at 23 Moore Street, Kingaroy

Background:

Discussion continued on the following motion

Motion:

Moved Cr Dalton seconded Cr Shaw

That Council agree on a without prejudice basis to a fifty percent reduction in the relevant water usage charges on the basis that the break may have been contributed to by the upgrade in water pressure, and Council reinforce it's policy of not refunding water charges for normal maintenance breaks.

Further, that for future upgrades of this nature, Council advise the residents of possible consequences of the upgrade

...

PROCEDURE:

Motion:

Moved Cr Campbell seconded Cr Lehmann

That the motion be put

Carried 10/0

The motion on being put was declared carried 9/1

Cr Woods recorded his vote against the motion

- 9.2.5 **Office of the Premier of Queensland** - Requesting nominations by 28 February 2006 for the Queensland Multicultural Awards 2006.

Background:

Unless Council has a specific nomination then no further action is required

Motion:

Moved Cr Trout seconded Cr Lehmann

That the letter be received

Carried 10/0

- 9.2.6 **Beresford R Beath** - Forwarding details and reasons surrounding damages to the Town Common Hall on 14 January 2006 and submitting that they are not responsible to pay for repairs

Background:

Report No: (D47)

The Manager Rating & Property submitted a written report recommending that Council refund the entire security deposit to Mr Beath and that the cost of repairing the windows be booked to Job Cost Number 0430-0049-0000 Vandalism (Culture)

Motion:

Moved Cr Lehmann seconded Cr Shaw

That the report be received and adopted

Carried 10/0

- 9.2.7 **Harry L Shepstone** - Advising the non metered water line has been disconnected and requesting removal of rating charge

Background:

Report Nos: (D48-50)

The Manager Rating & Property submitted a written report recommending that Council

- Include assessments where there is a single shop and associated dwelling located on the same land parcel, in the "Commercial/Industrial" classification;
- Make an ex-gratia payment to the affected property owners; and
- Advise the affected ratepayers that we will review the "Bases & Principals of Water Utility Charges" policy for the 2006/2007 financial year.

Motion:

Moved Cr Lehmann seconded Cr Carroll

That Council include assessments where there is a single shop and dwelling attached, in the "Commercial/Industrial" classification; and that Council make an ex-gratia payment for the 2005/2006 Water Charges to the affected property owners; and that Council advise the affected ratepayers that we will review the "Bases and Principles of Water Utility Charges" policy of the 2006/2007 financial year

Carried 10/0

9.3 Monthly Financial Statements

Background:

Report Nos: (D3-D8)

The Financial Statements for the period ended 31 December 2005 were presented for Council's approval

Motion:

Moved Cr Lehmann seconded Cr Woods

That the Financial Statements for the period ended 31 December 2005 be received and adopted

Carried 10/0

9.4 General Business

9.4.1 Managers Report – Library Services

Background:

Report Nos: (D14)

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

Motion:

Moved Cr Lehmann seconded Cr Shaw

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

Carried 10/0

9.4.2 **Kingaroy Neighbourhood Watch**

Background:

Report Nos: (D1-D2)

Cr WD Moss reported on the Kingaroy Neighbourhood Watch Meetings in 2005

Motion:

Moved Cr Lehmann seconded Cr Coleman

That the report be received

Carried 10/0

9.4.3 **Senior Citizens Report**

Background:

Report Nos: (D9-D12)

Cr WD Moss submitted a written report and profit and loss statement for the period 1 July 2005 to December 2005.

Motion:

Moved Cr Lehmann seconded Cr Trout

That the report be received

Carried 10/0

9.4.4 **Operations of Kingaroy SES**

Background:

Report No: (D13)

Cr WD Moss submitted a written report on the operations of Kingaroy SES in 2005.

Motion:

Moved Cr Lehmann seconded Cr Coleman

That the report be received

Carried 10/0

9.4.5 **Review of Receipts and Disbursements**

Background:

Report Nos: (D15-D44)

The Deputy Chief Executive Officer submitted a written report recommending that the revised Statement of Receipts and Disbursements be received, the alterations mentioned in the report be approved and revised budget provisions be adopted.

Motion:

Moved Cr Lehmann seconded Cr Coleman

That the report be received and adopted

Carried 10/0

9.4.6 **Modernisation of South Burnett Community Private Hospital Facilities**

Background:

Expressions of interest were sought from suitably qualified and experienced architects to review the existing SBCPH facilities and to provide recommendations, concepts and estimates for the future service development and modernisation of the hospital. The outcome from the project will provide the basis for the Hospital Board to commence planning and fundraising to ensure the long term viability of the hospital. A report on the Expressions of Interest received was presented to the Board at its recent meeting.

The Board has recommended that the offer of Murphys Architecture Pty Ltd in the indicative sum of \$14,250 +GST be accepted.

Funding for the project could be sourced from existing budget allocation. An amount of \$50,000 was included in Council's budget to support hospital operations. At this stage it appears that this support will not be required.

Motion:

Moved Cr Lehmann seconded Cr Dalton

That the offer of Murphys Architecture Pty Ltd in the indicative sum of \$14,250 +GST be accepted

Carried 10/0

9.4.7 **Model Code of Conduct**

Background:

The Model Code of Conduct for Councillors was published in the Queensland Government Gazette on 9 December 2005. Some minor corrections to the numbering were gazetted on 16 December 2005.

All councils are required to have Codes of Conduct in place by March 2006. The Model Code will apply to Councils as a default Code from that date without the need for a resolution by Council to adopt it, unless a Council has already developed and adopted its own Code.

The Department has requested that Councils submit a copy of their adopted Code or notify the Department that the Model Code is being used. A copy of the Model Code will be provided to each Councillor.

Motion:

Moved Cr Lehmann seconded Cr Shaw

That Council advise the Department of Local Government & Planning, Sport & Recreation that Council will utilise the Model Code of Conduct for Councillors

Carried 10/0

9.4.8 Regional Arts Development Fund (RADF) Committee Meeting

Background:

Report Nos: (D51-D52)

The Regional Arts Development Fund (RADF) Committee reported in accordance with the minutes of the meeting held on 18 January 2006

Motion:

Moved Cr Lehmann seconded Cr Campbell

That the report be received and adopted

Carried 10/0

9.4.9 Sustainable Development Forum

Background:

Report Nos: (D53-D82)

The Sustainable Development Forum reported in accordance with the minutes of the meeting held on 23 January 2006

Motion:

Moved Cr Lehmann seconded Cr Woods

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

- 9.2.8 Edwin Groom** - Forwarding a proposal to use Rogers Drive, Kingaroy for criterium racing and requesting sponsorship to assist Fresh Sports Burnett

Background:

Rogers drive would be suitable venue as it is not subject to through traffic and very rarely has traffic on a Sunday. With the construction of the Mitre Ten outlet, Sunday trading may be proposed, in which case Council may need to review its decision.

If Council were to approve the use the applicant would be required to get a Police permit and install the necessary signage in accordance with the MUTCD to ensure the safety of riders and general public.

Motion:

Moved Cr Trout seconded Cr Coleman

That Council agree to the request subject to the necessary permits and insurances being obtained and the matter be reviewed annually or if retailing in adjoining businesses commences on Sundays

Carried 10/0

- 10.2.1 **Joyce Nolan** - Requesting to know the possibility of Council naming a street after her late Aunt Edna Ensor who passed away in July 2005

Background:

Council are currently preparing a list of preferred names to be placed on a list which will then be assessed through a formal process. This request can be included in this process.

Motion:

Moved Cr Carroll seconded Cr Lehmann

That the name be forwarded to the Planning & Development Section for consideration in the Roads & Parks Names Register

Carried 10/0

- 10.2.2 **Local Government Association of Queensland Inc (LGAQ)** - Circular 2005-408: Seeking input into the Policy Review of the Disability Parking Permit Scheme

Background:

Council does not have a regulated parking local law and as such the immediate effects of changes to the system will be minimal. I would recommend that Council does not make a submission on this matter.

Motion:

Moved Cr Dalton seconded Cr Lehmann

That the letter be received

Carried 10/0

- 10.2.3 **Keep Australia Beautiful Council Old Inc** - Requesting nominations by Friday 10 February 2006 for Keep Australia Beautiful's Ergon Energy Tidy Towns competition

Background:

Council has not entered the Tidy Towns awards for some time and the criteria have not changed so significantly that the position would change from previous years.

Motion:

Moved Cr Lehmann seconded Cr Shaw

That the letter be received

Carried 10/0

- 10.2.4 **Local Government Association of Queensland Inc (LGAQ)** - Circular 2006-002: Requesting comments on the Young Driver discussion paper. Queensland Youth: On the Road and In Control

Background:

The request for comments is in reply to the discussion paper from Queensland Transport on ways to improve young driver safety.

Driving habits, skills and abilities of youth are a major concern to all communities and as such are an important issue for the Council on behalf of the community. The paper identifies that the crash rate for young drivers in rural areas is higher than in urban situations. The paper identifies numerous initiatives that have been identified to address the problem and help reduce the incidents of crashes and injuries.

Given the relative importance of the issue it would be recommended that Council make a submission on the issue.

Motion:

Moved Cr Dalton seconded Cr Lehmann

That the matter be referred to Cr Campbell and Cr Coleman and the Director of Engineering & Development Services for a submission and they be authorised to attend the forum being held in Toowoomba

Carried 10/0

- 10.2.5 **Andrew Fraser MP - Member for Mt Coot-tha** - Forwarding an update of the Local Government Development Program (LGDP) and requesting applications for funding by 17 March 2006

Background:

Officers have not had the opportunity to identify projects as yet but will provide a report to the February Meeting.

Motion:

Moved Cr Campbell seconded Cr Trout

That the matter be referred to the February General meeting

Carried 10/0

- 10.2.6 **Bevin J & Beverley J Askew** - Forwarding quotes and supporting pictures of the damage caused due to neglect on behalf of the developer to their property following heavy rain at 42 Moore Street, Kingaroy

Background:

The request is as a result of water and silt damage sustained during a storm event on the 25 November 2005. The Director attended the site on Saturday 26th November and observed significant inundation, silt deposits and staining as a result of the flooding.

Council has been in consultation with Mr Askew for some time in relation to repairs undertaken by Wieden Developments to the driveway. The cleanup has been undertaken by the Askews after the event occurred with some assistance from Council.

As the Council is not directly involved it would be recommended that any claim against Council would be denied as the issue of flooding has occurred for many years and the if the development has exacerbated the problem it will be a civil matter between the Developer and the Askews.

Council may wish to seek legal advice in relation to the incident before replying to the Askews.

Motion:

Moved Cr Campbell seconded Cr Dalton

That Council seek legal advice and forward a copy of the letter to Wieden Developments

Carried 10/0

10.3 General Business**10.3.1 Directors Report – Engineering and Development Services****Background:**

Report Nos: (E1-E7)

The Director of Engineering and Development Services submitted a written report on work undertaken in the Roads, Drainage and Transport Services; Recreation & Sport and Engineering Management Services for the period 19 December 2005 to 15 January 2006

Motion:

Moved Cr Campbell seconded Cr Dalton

That the report be received

Carried 10/0

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

Nil

11.2 Correspondence

11.2.1 Department of Natural Resources - Requesting comments by Friday 3 March 2006 in relation to the Queensland Government discussion paper on adapting to climate change entitled 'Climate Smart Adaption'.

- 8.2.1 **Local Government Association of Queensland Inc (LGAQ)** - Circular 2005-404: Requesting comments by Friday 24 February 2005 in relation to State Government Consultation on Climate Change

Background:

Climate Smart Adaptation discussion paper provides information about Queensland's future climate and explores some of the potential impacts of climate change.

Annual average temperatures could increase up to 2°C by 2030 and up to 6°C by 2070. We are likely to have twice as many extremely hot days, longer hot spells, more heatwaves, and higher bushfire risk. Annual rainfall has dropped in Qld central coast (Rockhampton area) by as much as 250mm since 1950. Queensland annual rainfall could decline by another 15 per cent by 2030 and up to 40 per cent by 2070.

Council is invited to put forward any new opportunities or actions that our community is working on to adjust to the impacts of climate change.

Given the significance of the issue, it is recommended that a written response be provided based on the impact climate change would have on our natural resources.

Motion:

Moved Cr Carroll seconded Cr Shaw

That a written response be provided based on the impact climate change would have on Kingaroy's natural resources

Carried 10/0

- 11.2.2 **Local Government Association of Queensland Inc (LGAQ)** - Circular 2005-421: Requesting comments by Wednesday 1 March 2006 in relation to the Senate Inquiry into Australia's National Parks; Conservation Reserves and Marine Protected Areas

Background:

Council is invited to comment on the funding and resources available to meet the objectives of Australia's national parks, other conservation reserves and marine protected areas. The inadequate resources for controlling declared and environmental pests within national parks, other conservation reserves and marine protected areas will impact on the long term sustainability of the areas, threaten endangered species and decrease tourist attraction to the areas.

Given the impact this could have on the local area, it is recommended that a response be provided outlining Council's concerns of the lack of resources by government to adequately manage national parks etc.

Motion:

Moved Cr Carroll seconded Cr Campbell

That a response be provided outlining Council's concerns over the lack of resources by government to adequately manage national parks etc

Carried 10/0

- 11.2.3 **Senator Judith Troeth - Senator for Victoria** - Forwarding details on the inquiry into rural and regional women's representation.

Background:

The Federal Government has announced the Inquiry into rural and regional women's representation. The Inquiry will announce its findings to Hon. Warren Truss in June 2006. Does Council wish to provide comment to the inquiry or it be left up to individuals to respond via the Inquiries website?

Motion:

Moved Cr Carroll seconded Cr Woods

That the letter be received

Carried 10/0

11.3 General Business

11.3.1 Natural Resource Management, Pest and Livestock Report

Background:

Report Nos: (F1-F9)

The Natural Resource, Pest & Livestock Manager submitted a written report on work undertaken for December 2005

Motion:

Moved Cr Carroll seconded Cr Campbell

That the report be received

Carried 10/0

DECLARATION OF INTEREST:

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

11.3.1.1 Future of Coolabunia Saleyards

Motion:

Moved Cr Carroll seconded Cr Trout

That Council commit to the ongoing operation of the Coolabunia Saleyards and that an upgrade program be considered at the 2006/07 Budget

Carried 9/0

ATTENDANCE:

Cr Campbell returned to the meeting

11.3.1.2 **Goodger Environmental Area Fire and Biodiversity Plan**

Motion:

Moved Cr Carroll seconded Cr Shaw

That the Goodger Environmental Area Fire and Biodiversity Plan be received and referred to the February General meeting for consideration

Carried 10/0

ADJOURNMENT:

Motion:

Moved Cr Campbell

That the meeting adjourn until 1.30 pm

Carried 10/0

During the adjournment Mr Mark Saunders, Project Manager of Wide Bay 2020 presented a briefing on the Proposed Regional Plan

RESUMPTION:

The meeting resumed at 1.32 pm with attendance as previous to the Adjournment

12. **GENERAL BUSINESS**

CLOSED SESSION:

Motion:

Moved Cr Lehmann seconded Cr Shaw

That the meeting be closed to the public for the purposes of consideration of other business for which a public discussion would be likely to prejudice the interests of the Council or other persons and also for the purposes of considering employee matters

Carried 10/0

OPEN COUNCIL:

Motion:

Moved Cr Fleischfresser seconded Cr Dalton

That the meeting resume in Open Council

Carried 10/0

Motion:

Moved Cr Dalton seconded Cr Fleischfresser

That the Chief Executive Officer be instructed to review internal reporting procedures and to implement any changes considered necessary

Carried 10/0

There being no further business the meeting was declared closed

Confirmed before me this day of 2006

MAYOR