

Minutes of the meeting of the Kingaroy Shire Council, held in the Council Chambers, Glendon Street, Kingaroy on Thursday, 25 May 2006 at 9.03 am.

PRESENT

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

1. ***LEAVE OF ABSENCE***

Cr TW Fleischfresser

Motion:

Moved Cr Trout seconded Cr Lehmann

That the leave of absence be granted and apology be accepted

Carried 10/0

2. ***PRAYERS AND CONDOLENCES***

A motion of sympathy was passed to the relatives of the late Rhonda Goldsmith, Betty Hickman and Stanley Ford

3. ***ADDRESS FROM PUBLIC GALLERY***

Nil

4. ***RECEIPT OF PETITIONS***

Nil

5. ***CONFIRMATION OF MINUTES***

Motion:

Moved Cr Shaw seconded Cr Coleman

That the minutes of the previous meeting held on Thursday 27 April 2006 and the minutes of the previous special meeting held on 17 May 2006 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.

6.1 **Business Arising Out of Minutes**

- 6.1.1 **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 Nos: (A45-A51)

The Manager of Planning Services submitted a written report recommending that Council issue a Preliminary Approval (Reconfigure a Lot) and that the following reasons (for part refusal) and advice be given.

Reasons for Part Refusal:

Layout and design

- The proposal does not address future stages advice issued by Council pursuant to Stage 2 of the development with respect to reinstatement of parkland as detailed on previous future stages plans.
- Council does not accept dedication of the ten (10) metre buffer strip along Lots 51-59. This area shall be either amalgamated into the respective adjoining lots or amalgamated with Lot 3 RP 853174 (nb the consent of the land owner will be required in this instance).

Sewerage

Further investigation is required to determine if Lots 41 to 59 can be adequately serviced in accordance with Council guidelines.

Stormwater

Further investigation of solutions and required works is required by a registered professional engineer to establish a legal point of discharge for stormwater. Preliminary investigation indicates stormwater may need to be directed through the South Burnett Catholic College (SBCC) premises (Lot 3 RP 853174). Written consent from SBCC would be required in this instance prior to Council issuing development approval.

Investigation is required to determine the downstream capacity of drainage systems to cater for runoff from the completed development.

Advice:

The development is generally satisfactory subject to satisfactory resolution of the reasons for refusal. The applicant is encouraged to discuss allotment and parkland design in the vicinity of lots 51-59 with Council prior to applying for a Development Permit.

Further to the matters discussed above, the applicant is referred to outstanding Stage 1 Department of Main Roads requirements regarding lighting of the Youngman Street/Banksia Drive intersection (Department of Main Roads Ref 73/1/702.8 0203.07, 2 March 1995). Such lighting is required for traffic safety and compliance with Australian Standards and will be conditioned upon Stage 3 of the estate.

Motion:

Moved Cr Trout seconded Cr Campbell

That the report be received and adopted

Carried 9/0

- 6.1.2 **O'Reilly Nunn Favier** - Forwarding an IDAS Application - Reconfiguration of Boundaries - 1 Rural and 21 Rural Residential C Lots - Lot 2 RP838472 & Lot 4 SP154833 – 14 Redmans Road Kingaroy - Applicant: John Bayliss; Owner: RE & JD Bayliss & MM Keogh

Background:

Report Nos: (A15-A19)

The Manager of Planning Services submitted a written report recommending that Council issue a Preliminary Approval (Reconfigure a Lot) subject to the following reasons for refusal (refusal in part) and advice.

Reasons for Refusal (Part Refusal)

Liquid Waste Management – the applicant has not provided sufficient information, including in the information request response, to enable a full and proper assessment that each allotment is suitable for installation of an on-site liquid waste management system in accordance with AS 1547: On-Site Domestic-Waste Water Management.

Stormwater Management – the applicant has not identified the legal point of discharge to service proposed Lots 6-15 or the internal road east of Gatto Street. There is a natural escarpment along the boundaries of Lots 7 to 11, which would be susceptible to scour and erosion from stormwater discharge from the site, potentially affecting the geo-technical characteristics of the escarpment. Stormwater management may also require securing a drainage easement over adjoining land.

Advice

Subject to further information and assessment of the reasons for refusal (part refusal), the proposed development is generally satisfactory. Conditions of approval will be considered and attached to the Development Permit (Reconfigure a Lot), upon approval.

Motion:

Moved Cr Trout seconded Cr Shaw

That the report be received and adopted subject to the inclusion of the following advice:

That the configuration of lots 10-13 be reviewed to remove any hatchet shaped blocks

Carried 9/0

- 6.1.3 **DG & KM Roberts - Roberts Insurance Services Qld P/L** - Forwarding a request to change an existing approval for an extension to the currency period at 34 Nolan Drive, Kingaroy - Lot 8 SP116121

Background:

Report Nos: (A1-A3)

The Manager of Planning Services submitted a written report recommending that Council agree to extend the Relevant Period for 2 years from the date of the Council meeting.

Motion:

Moved Cr Moss seconded Cr Trout

That the report be received and adopted

Carried 9/0

- 6.1.4 **O'Reilly Nunn Favier** - Forwarding IDAS Application to Reconfigure a Lot realignment of boundaries for Stage 4 Premier Residential Estate - Lot 101 SP184600 Fisher Street Kingaroy

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 9/0

- 6.1.5 **Swickers Kingaroy Bacon Factory** - Forwarding a Request for a Negotiated Decision Notice in relation to their approval for effluent irrigation at Swickers Kingaroy Bacon Factory Pty Ltd

Background:

Report Nos: (A9-A12)

The Manager of Planning Services submitted a written report recommending that Council agree to issue a Negotiated Decision Notice (Material Change of Use Preliminary Approval) subject to conditions and advice.

Motion:

Moved Cr Trout seconded Cr Shaw

That the report be received and adopted

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PROCEDURE:

Motion:

Moved Cr Moss seconded Cr Shaw

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

Carried 9/0

- 6.1.6 **Tony C & Julie A Pantlin** - Withdrawing their previous application IR226096 and forwarding an IDAS Application for 49 Head SCU Feedlot and Farming at Lot 6 SP156293 & Lot 303 FY454 – 718 Reedy Creek Road Kingaroy - Applicant/Owner: Tony & Julie Pantlin

Background:

Report Nos: (A52-A70)

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

Motion:

Moved Cr Trout seconded Cr Campbell

That the report be received and adopted

Carried 9/0

- 6.1.7 **AG Martin Design & Drafting** - Forwarding an IDAS Application for Material Change of Use & Reconfiguring a Lot - Hardware Retail Store & Timber Yard at 102 Kingaroy Street - L 10/11 RP7915 & L 2 RP183832 - Applicant: AG Martin Design & Drafting - Owner: Propcastle P/L & Greg Pomfret

Background:

Report Nos: (A23-A44)

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 Trout seconded Cr Campbell

That the report be received and adopted subject to:

OW6 Footpaths – modification of the condition to include 1.2m 100mm thick reinforced concrete footpath in Pound Street to maintain consistency with other recent approvals in the vicinity

Carried 9/0

6.2 Correspondence

- 6.2.5 **O'Reilly Nunn Favier** - Forwarding an IDAS Application to Reconfigure a Lot - 1 Lot into 2 Lots at Crawford Boobie Road, Crawford - Lot 112 FTA37440. Applicant/Owner: Les & Dorothy Franklin

Background:

Report pending completion of assessment.

Motion:

Moved Cr Trout seconded Cr Carroll

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

Carried 9/0

- 6.2.8 **Mr Ron Knopke** - Requesting a Negotiated Decision Notice in relation to their Development Application proposal for subdivision (Reconfigure a Lot) - Lot 8 on RP890688 - Applicant - Ron Knopke

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 9/0

- 6.2.10 **O'Reilly Nunn Favier** - Forwarding a list of road names for approval for the whole of Premier Acreage Estate

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 9/0

- 6.2.11 **O'Reilly Nunn Favier** - Requesting Council allow a Side Boundary Setback Siting Variation at Lot 44 Poinciana Avenue Kingaroy

Background:

Report Nos: (A80-A82)

The Assistant Building Surveyor submitted a written report recommending that the boundary setback siting variation not be allowed due to lighting, ventilation and privacy may be compromised

Motion:

Moved Cr Moss seconded Cr Shaw

That the report be received and adopted

Carried 9/0

ATTENDANCE:

The Mayor returned to the meeting and resumed the Chair

- 6.2.1 **Minister for Environment Local Government & Planning** - Advising the commencement date for the Integrated Planning Act planning scheme has been extended to 30 June 2006

Background:

For the information of Council

Motion:

Moved Cr Trout seconded Cr Woods

That the letter be received

Carried 10/0

- 6.2.2 **JMA Architects** - Forwarding an IDAS Application - Request to Change an Existing Approval - Proposed Crematorium at Lot 2 Pioneer Avenue Kingaroy - Lot 381 FY2689 - Applicant/Owner: David & Jo-Anne Rogerson

Background:

Report pending completion of assessment.

Motion:

Moved Cr Trout seconded Cr Woods

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

Carried 10/0

- 6.2.3 **King & Company** - Forwarding a copy of the notice of discontinuance in the matter of ERM Pty Ltd v Kingaroy Shire Council and Polo Properties Pty Ltd - Planning & Environment Court No 266 of 2006

Background:

For the information of Council

Motion:

Moved Cr Trout seconded Cr Shaw

That the letter be received

Carried 10/0

- 6.2.4 **Russell Reynoldson** - Forwarding an IDAS Application - Request to Change an Existing Approval - 121 Johnstons Road Kingaroy - Lot 320 FY465 - Applicant/Owner: Russell Reynoldson

Background:

Report Nos: (A5-A6)

The Manager of Planning Services submitted a written report recommending that Council agree to extend the Relevant Period for 2 years from the date of the Council meeting.

Motion:

Moved Cr Trout seconded Cr Moss

That the report be received and adopted

Carried 10/0

- 6.2.6 **Rubicon Constructions Pty Ltd** - Forwarding an IDAS Application - Request to Change an Existing Approval at 126-128 Kingaroy Street Kingaroy - Applicant: Rubicon Constructions Pty Ltd; Owner: Kingaroy RSL

Background:

Report Nos: (A73-A78)

The Planning Officer submitted a written report recommending that Council accede to the request for a minor change to the approval

Motion:

Moved Cr Trout seconded Cr Dalton

That the report be received and adopted

Carried 10/0

DECLARATION OF INTEREST:

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

- 6.2.7 **Mr J & Cr CD Dalton** - Forwarding an IDAS Application to Reconfigure a Lot - 1 lot into 3 lots at Kate Street, Wooroolin - Lot 25 SP176681. Applicant/Owner: JD & CD Dalton

Background:

Report pending completion of assessment.

Motion:

Moved Cr Trout seconded Cr Lehmann

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

Carried 10/0

ATTENDANCE:

Cr Dalton returned to the meeting

- 6.2.9 **Local Government Association of Queensland Inc (LGAQ)** - Advising Department of Natural Resources Mines and Water are seeking comments by Friday 30 June 2006 in relation to the proposal to abandon County/Parish in favour of Locality as property Identifier

Background:

For the information of Council

Motion:

Moved Cr Trout seconded Cr Shaw

That the letter be received

Carried 10/0

- 6.2.12 **Jolare Holdings Pty Ltd** - Seeking clarification of requirements in relation to the Kingaroy Department of Child Services Code Compliance Check for commercial area at 180-182 Haly Street Kingaroy

Background:

Report Nos: (A83-A85)

The Planning Officer submitted a written report recommending that Council not accede to the request and confirm the requirement for a cantilevered awning

Motion:

Moved Cr Trout seconded Cr Campbell

That the report be received and adopted

Carried 10/0

6.3 **General Business**

6.3.1 **Integrated Planning & Other Legislation Amendment Act**

Background:

Report Nos: (A71-A72)

The Manager of Planning Services submitted a written report on attendance at an information session by Cr Trout, Planning Officer and Manager of Planning Services on recent changes to the Integrated Planning Act

Motion:

Moved Cr Trout seconded Cr Dalton

That the report be received

Carried 10/0

6.3.2 **Town Centre Footpath Construction**

Background:

Report Nos: (A13-A14)

The Manager of Planning Services submitted a written report recommending that Council supply pavers at no cost to developers in the CBD where required for footpath treatment, and that a standard paving design and construction schedule be prepared.

Motion:

Moved Cr Campbell seconded Cr Trout

That the report be received and adopted

Lost 4/6

Motion:

Moved Cr Moss seconded Cr Shaw

That a report be presented to the next meeting on the Town Centre Footpath Construction taking into consideration the CBD Strategy, the cost to Council and how it can be implemented

Carried 8/2

6.3.3 **Early Release of Survey Plans Policy**

Background:

Report Nos: (A79)

The Director of Engineering & Development Services submitted a written report on early release of Survey Plans Policy

Motion:

Moved Cr Trout seconded Cr Coleman

That Council's Policy on the Early Release of Survey Plans be discontinued

Carried 10/0

7. **WATER AND SEWERAGE SERVICES SECTION**

7.1 **Business Arising Out of Minutes**

- 7.1.1 **Mrs DD Wieden; Kingaroy Motorcycles - Stephen Hood; Star Tyrepower – P Plötz - Tristar Enterprises Pty Ltd; Mr Roger & Mrs Merle Clarkson; Sabscott Pty Ltd; AG & MM Nichol** - Forwarding a list of points for Council to consider relating to the moving of sewer lines on their properties

Background:

Report Nos: (B17-B19)

The Director of Engineering & Development Services submitted a written report taking into consideration the discussion held with the above owners at a Meeting held on the 18 May and recommending that Council defer any decision on the matter of the relocation of the George Street sewer until a full and thorough report be prepared for Council including the following issues:

- Past changes and implementation of policies
- Extent of problem of poorly located sewers
- Current buildings over sewers
- Analysis of issues with building over sewers
- Experience and Policies of other Councils
- Possible costs to deal with the problem
- Alternatives to existing situations
- Recommend a Policy position in relation to the issue
- Recommend funding arrangements for such instances

Motion:

Moved Cr Dalton seconded Cr Woods

That the report be received and adopted

Carried 10/0

ADJOURNMENT:

Motion:

Moved Cr Lehmann seconded Cr Woods

That the meeting adjourn for ten (10) minutes

Carried 10/0

RESUMPTION:

The meeting resumed at 11.04 am with attendance as previous to the Adjournment

DECLARATION OF INTEREST:

The Mayor declared an interest in the following matter and left the meeting.

The Deputy Mayor assumed the Chair.

PROCEDURE:

Motion:

Moved Cr Moss seconded Cr Shaw

That the following matter be taken from the table and considered.

Carried 9/0

6. PLANNING & DEVELOPMENT SERVICES SECTION (CONT)

6.1 Business Arising Out of Minutes

- 6.1.5 **Swickers Kingaroy Bacon Factory** - Forwarding a Request for a Negotiated Decision Notice in relation to their approval for effluent irrigation at Swickers Kingaroy Bacon Factory Pty Ltd

Background:

Report Nos: (A9-A12)

The Manager of Planning Services submitted a written report recommending that Council agree to issue a Negotiated Decision Notice (Material Change of Use Preliminary Approval) subject to conditions and advice.

Motion:

Moved Cr Trout seconded Cr Shaw

That the report be received and adopted with the exception of the boundaries adjoining Bunya Pines (Lots 0, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 on GTP101581) where a forty (40) metre buffer will apply in accordance with the original approval

Carried 9/0

ATTENDANCE:

The Mayor returned to the meeting and resumed the Chair

7. WATER AND SEWERAGE SERVICES SECTION (CONT)

7.1 Correspondence

Nil

7.2 General Business

7.2.1 Directors Report – Water and Sewerage

Background:

Report Nos: (B10-B16)

The Director of Engineering & Development Services submitted a written report on activities undertaken during April 2006

Motion:

Moved Cr Dalton seconded Cr Coleman

That the report be received

Carried 10/0

7.2.2 Local Government Association Infrastructure Symposium

Background:

Report Nos: (B1-B9)

Cr Dalton submitted a written report on attendance at the Local Government Association of Queensland Infrastructure Symposium held in Brisbane on 19-21 April 2006

Motion:

Moved Cr Trout seconded Cr Campbell

That the report be received

Carried 10/0

PRECEDENCE:

Motion:

Moved Cr Moss seconded Cr Trout

That precedence in the Order of Business be given to consideration of Corporate & Community Services Section

Carried 10/0

9. CORPORATE AND COMMUNITY SERVICES SECTION

9.1 **Business Arising Out of Minutes**

- 9.1.1 **Project Services - Department of Public Works** - Advising that the Community Memorials Restoration Program is now calling for expressions of interest from organisations seeking involvement in the 2006-2007 program closing on 31 May 2006

Background:

The Memorial Park Rotunda has been in existence for many years and was constructed around 1932. The Rotunda is generally in good condition from a visual inspection as quite a deal of work has been done in recent years. The issues that need to be addressed include:

- Structural assessment of roof structure
- Sand back and repaint Rotunda Roof (subject to non-existence of asbestos)
- Re-instatement of small decorative gates either side of main entrance
- Restoration of Memorial Stone and Brass Emblems

The above works are estimated to cost approximately \$15,000 excluding any structural work on the roof or removal of asbestos if required. Council is required to fund fifty percent (50%) of this cost if the expression of interest is successful.

Motion:

Moved Cr Moss seconded Cr Woods

That Council lodge an Expression of Interest for works under the Community Memorials Restoration Program for the Memorial Park Rotunda

Carried 10/0

- 9.1.2 **National Australia Bank** - Inviting nominations for the NAB 2006 Volunteer Awards by 28 June 2006

Background:

No responses have been received. No further action required

Motion:

Moved Cr Lehmann seconded Cr Coleman

That the letter be received

Carried 10/0

9.2 **Correspondence**

- 9.2.1 **Premier of Queensland** - Requesting Council consider making a financial contribution of \$7500 plus GST towards the opening celebration event to be held in the Bunya Mountains on 27 August 2006 as part of the Bunya to the Bay project

Background:

Council considered a letter from the Brisbane River Festival concerning their Bunya to Bay Project at its April meeting and felt there was no benefit to the Kingaroy Shire from this project. Accordingly a decision was made to not contribute to the project.

It is suggested that while the Premier is encouraging Council to support the project our reasons for not supporting it at our last meeting are still valid and we should confirm our previous decision

Motion:

Moved Cr Lehmann seconded Cr Moss

That Council confirm its previous decision not to financially support the project

Carried 10/0

- 9.2.2 **Local Government Association of Queensland Inc (LGAQ)** - Circular 2006-113: Changes to Family Services Act 1987 - Proposed New Community Services Legislation - feedback required by 30 April 2007

Background:

As Council does not receive any funding from the Department of Communities it is uncertain if there will be any impact on Council from the proposed changes. As the Local Government Association is proposing to make a submission on behalf of Councils, it is suggested we monitor their response

Motion:

Moved Cr Trout seconded Cr Moss

That the letter be received

Carried 10/0

- 9.2.3 **Queensland State Archives** - Forwarding information in relation to the release of Digitisation Disposal Policy

Background:

The Public Records Act 2002 places certain legislative requirements on Council in regard to the retention of records and Council is well placed with its electronic records management system to comply. However the issue of retention of hard copies after they have been digitised has been of concern to many local authorities. This policy is an attempt by Queensland State Archives to address these concerns.

Until now Council has tended to utilise State Archives policies and retention and disposal schedules as our base. This may no longer be appropriate and we may need to develop our own recording keeping policies and appropriate retention and disposal schedules.

It is suggested the policy document be referred to Deputy Chief Executive Officer and Manager of Administration for appropriate action

Motion:

Moved Cr Lehmann seconded Cr Woods

That the matter be referred to the Deputy Chief Executive Officer and Manager of Administration for the appropriate action

Carried 10/0

- 9.2.4 **Department of Transport and Regional Services** - Inviting Council to participate in the 2006 National Awards for Local Government - closing date for entries Tuesday 13 June 2006

- 9.2.11 **Local Government Association of Queensland Inc (LGAQ) - 2006-128:** Advising that the 2006 national awards for Local Government Nominations are open and entries close on Tuesday 13 June 2006

Background:

For the information of Council

Motion:

Moved Cr Lehmann seconded Cr Coleman

That the letters be received

Carried 10/0

- 9.2.5 **CareFlight Queensland Air Medical & Rescue Service -** Requesting Council consider financially assisting their organization in Council's budgetary programme for 2006/2007

Background:

Discussion took place on a similar letter from the Sunshine Coast Helicopter Rescue - Energex Community Rescue at the April meeting. It was decided to refer the request to the Budget meeting and in the meantime obtain the relevant number of evacuations each service provides to the Kingaroy Area.

Unless altered by Council this financial years donations will be paid on an equal three way split between the three services.

Motion:

Moved Cr Lehmann seconded Cr Moss

That consideration of the matter be referred to the budget meeting

Carried 10/0

- 9.2.6 **Minister for Local Government, Territories & Roads -** Advising that the Australian Government has provided increased funding for local government in 2006-07 expecting the first quarterly payment to be made after 15 August 2006

Background:

While the overall increase is welcome the exact impact for the Kingaroy Shire Council will not be known until the Queensland Local Government Grants Commission determines each Councils allocation

Motion:

Moved Cr Lehmann seconded Cr Shaw

That the letter be received

Carried 10/0

PRECEDENCE:

Motion:

Moved Cr Lehmann seconded Cr Moss

That precedence in the Order of Business be given to consideration of the General Business

Carried 10/0

13. **GENERAL BUSINESS**

13.1 **Linda Silburn – Chief Executive Officer, Burnett Inland Economic Development Organisation (BIEDO)**

Background:

Linda Silburn attended the meeting to make a presentation to Council on the newsletter "BIEDO Flashpoints: April 2006" and highlighting activities planned for 2006

ADJOURNMENT:

Motion:

Moved Cr Lehmann Seconded Cr Coleman

That the meeting adjourn until 1.15 pm

Carried 10/0

RESUMPTION:

The meeting resumed at 1.20 pm

ATTENDANCE:

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

9. **CORPORATE & COMMUNITY SERVICES SECTION**

9.2 **Correspondence**

- 9.2.7 **Wooroolin Community Association Inc** - Requesting permission to use the \$400.00 donation towards the purchase of a PA system for the Community Hall rather than the proposed garden competition

Background:

Owing to the current drought the usual donation towards a garden competition will not be required. The purchase of a PA system for Wooroolin Hall would be a valuable asset for that community and it is suggested we agree to the request

Motion:

Moved Cr Lehmann seconded Cr Dalton

That Council accede to the request

Carried 9/0

- 9.2.8 **Department of Emergency Services** - Requesting nominations for the 2006 Safer Communities Awards by Friday 4 August 2006

Background:

For the information of Council

Motion:

Moved Cr Lehmann seconded Cr Shaw

That the letter be received

Carried 9/0

- 9.2.9 **Local Government Association of Queensland Inc (LGAQ)** - Requesting Council forward any comments they have regarding the CMC Recommendations from Gold Coast City Council Inquiry by Friday 19 May 2006

Background:

For the information of Council

Motion:

Moved Cr Lehmann seconded Cr Shaw

That the letter be received

Carried 9/0

- 9.2.10 **Minister for Employment Training & Youth & Minister for the Arts** - Requesting an urgent response regarding the Federal Governments Work Choices Legislation

Background:

Obviously the Queensland Government has its own preferred position in relation to Work Choices legislation. However the Local Government has been putting a lot of resources into understanding the legislation and providing advice to Councils. At all times Council will act responsibly in accordance with this advice

Motion:

Moved Cr Lehmann seconded Cr Coleman

That the matter be referred to the Deputy Chief Executive Officer for response

Carried 9/0

- 9.2.12 **Ron Turner** - Requesting a review of the proposed arrangements in relation to his resignation from Council

Background:

Council at its meeting in March 2006 accepted Ron's resignation with regret. His resignation was to have taken effect from 7 July 2006. As a result of further investigations Ron is now seeking a change of the termination date to the 18 August 2006. During this additional time, Ron will continue to use accrued leave.

Motion:

Moved Cr Lehmann seconded Cr Woods

That the change of retirement date for Chief Executive Officer, Ron Turner to the 18 August 2006 be approved

Carried 9/0

9.3 **Monthly Financial Statements**

Background:

Report Nos: (D1-D6)

The Financial Statements for the period ended 30 April 2006 were presented for Council's approval

Motion:

Moved Cr Lehmann seconded Cr Coleman

That the Financial Statements for the period ended 30 April 2006 be received and adopted

Carried 9/0

9.4 **General Business**

9.4.1 **Managers Report – Library Services**

Background:

Report Nos: (D32)

The Manager of Library Services submitted a written report on activities for the month of April 2006

Motion:

Moved Cr Woods seconded Cr Lehmann

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

Carried 9/0

9.4.2 **Sustainable Development Forum**

Background:

Report Nos: (D33-D34)

The Sustainable Development Forum reported in accordance with the meeting held on the 22 May 2006

Motion:

Moved Cr Campbell seconded Cr Lehmann

That the report be received

Carried 9/0

9.4.2.1 **Queensland on Show – At Work & Play**

Motion:

Moved Cr Lehmann seconded Cr Campbell

That Council participate in the " Queensland on Show – At Work & Play" initiative in conjunction with the South Burnett Local Government Association, Wide Bay Burnett Regional Organisation of Councils and Local Businesses

Carried 9/0

9.4.3 **Size, Shape & Sustainability Project Steering Committee**

Background:

A special meeting of the South Burnett Local Government Association was held on the 4 May 2006 to consider the establishment of a Size, Shape and sustainability Project Steering Committee and to the initial steps of Size, Shape and Sustainability. The steering committee will assess in detail specific elements of the process and report back to each Council as the process occurs.

At the meeting it was recommended that the Committee should comprise the Mayor and Chief Executive Officer of each South Burnett Shire or their delegates. Council needs to confirm these as their representatives on the Steering Committee

Motion:

Moved Cr Trout seconded Cr Woods

That Council confirm the Mayor and Chief Executive Officer or their delegates as its representatives for the Size Shape & Sustainability Project Steering Committee

Carried 9/0

9.4.4 **South Burnett Disaster Management Group**

Background:

Some months ago Council recommended to the South Burnett Local Government Association that consideration be give to the establishment of a South Burnett wide Disaster Management Plan. At a special meeting of the SBLGA held on 4 May 2006 this was considered and preliminary agreement reached. The Association now asks Council for its comments on the issue before a joint decision is made.

Motion:

Moved Cr Lehmann seconded Cr Coleman

That Council support a South Burnett Disaster Management Plan

Carried 9/0

9.4.5 **Town Hall hire fees - SB Musical Comedy Society**

Background:

The South Burnett Musical Comedy Society recently received the account for the use of the Town Hall for their Musical Production (October 2005 – March 2006). Substantial concessions in accordance with Council Policy reduced the account from \$5,164.30 to \$3,075.80. The Society has now requested reconsideration of the account by the reduction or removal of the clean up fee on the day after their performances and the reduction or removal of the hire fee for the use of the Bar and BBQ Area as a dressing area in conjunction with their performances.

Society members were advised prior to the use, that if they used the facilities then a fee would be charged. The fees charged for these items were also discounted eg hire fee is normally approximately \$230 but instead the lesser fee of \$162.80, was charged due to the period of use. Council also needs to be aware that cleaning up of the Bar and BBQ Area by Council's Manager was required after use.

Motion:

Moved Cr Shaw seconded Cr Lehmann

That Council not agree to any further reduction in the hire fees and the reasons be explained to the South Burnett Musical Comedy Society

Carried 9/0

9.4.6 **Revenue Policy 2006/2007**

Background:

Report Nos: (D26-D28)

The Local Government Act 1993 requires that Council must adopt by resolution a revenue policy for each financial year. The revenue policy must be prepared and adopted before the start of the financial year for which it has been prepared. This is necessary in order to allow sufficient time for the preparation and adoption of a budget that is consistent with the policy. The revenue policy may be amended by resolution at any time during the financial year for which it was prepared.

Accordingly a copy of the proposed Revenue Policy for 2006/2007 is attached.

Motion:

Moved Cr Woods seconded Cr Lehmann

That the Revenue Policy for 2006/2007 be adopted

Carried 9/0

9.4.7 **Policy Review Report**

Background:

Report Nos: (D7-D25)

The Deputy Chief Executive Officer submitted a written report on new policies and amendments to existing policies and recommending that the following new and amended policies be adopted:

- ◆ Entertainment & Hospitality Expenses Policy
- ◆ Corporate Card Policy
- ◆ Grants & Donations Policy
- ◆ Hall Facilities - Hire Fee Concessions Policy
- ◆ Donations - In Kind Works Policy

Motion:

Moved Cr Lehmann seconded Cr Coleman

That the report be received and adopted subject to the following alterations:

- *Donations – In Kind Works Policy*
Under the heading “Specific Policy Conditions” include the words “surplus second hand materials” in addition to plant and labour; and
- *Entertainment & Hospitality Expenses Policy*
2.2.3 Other Entertainment & Hospitality Expenses
Dot point for provision of light refreshments - the following words be deleted
“These should be of a light nature at the work/meeting location unless associated with a seminar or function at a particular venue”

Carried 9/0

9.4.8 Regional Arts Development Fund (RADF) Committee Meeting**Background:**

Report Nos: (D29-D31)

The Regional Arts Development Fund (RADF) Committee reported in accordance with the minutes of the meeting held on Monday 15 May 2006

Motion:

Moved Cr Shaw seconded Cr Lehmann

That the report be received and adopted

Carried 9/0

9.4.9 Fees and Charges 2006/2007**Background:**

Report Nos: (D35-D90)

At this time each year Council reviews its fees and charges and sets the new fees for the following financial year.

As advised the Local Government Act requires Council to have separate registers for its Regulatory Fees and Commercial Charges.

The Act clearly defines what constitutes a regulatory fee. Basically it is a fee for a service provided under an Act or Local Law, which is regulatory in nature and can only be provided by Council. While a commercial fee is for a service which Council provides but which the other party can choose whether or not to avail itself of the service.

In the case of Regulatory Fees the Act also states that Council cannot charge more than the cost of providing the service or taking the action for which the fee is charged.

In accordance with the above, generally all regulatory fees have been increased by 5.7%, which is the increase in the cost to provide the service.

Further, most commercial fees have also been increased by that percentage.

Motion:

Moved Cr Shaw seconded Cr Lehmann

That the Fees and Charges 2006/2007 be received and adopted subject to:

- *Animals – Domestic – Permits – “To keep three (3) dogs in a Township or Rural Residential Land” be corrected to read “To keep three (3) dogs in a Township or Rural Residential C Land”;*
- *Environmental Health Licences/Permits – Environmental Protection Act 1994 – “Annual Registration Fee for Legal 1 registration certificate” be corrected to read “Annual Fee for Legal 1 registration certificate”;*
- *Correction of the fee charged for “Saleyards – Livestock Selling Fees – Cattle sold (sold at store sale)” be increased from \$0.30 to \$0.60;*
- *Subdivision - Engineering - inclusion of Reinspection Fee for of \$165*
- *Swimming Pool - Admission Charges – be in accordance with the new Swimming Pool Contract as follows:*
 - Adult per head - \$2.50*
 - Child per head - \$1.50*
 - Season Tickets – Adult - \$135.00*
 - Season Tickets – Child - \$90.00*
 - Seniors Card Holders - \$2.00*
- *Deletion of the fee for Town Planning – Material Change of Use – Impact Assessment – Commercial Use Classes – Brothels*
- *Deletion of the fee for Town Planning – Reconfiguration of Lot – Subdivision by Community Title Scheme – Early Release of a Survey Plan*

Carried 9/0

9.4.10 Preliminary and Formal Budget Meeting Dates

Background:

The following dates are proposed for the Preliminary and Formal Budget meetings:

Preliminary Budget Meeting – Wednesday 21 June 2006 – 9.00 am; and

Formal Budget Meeting – Thursday 27 July 2006 – 1.30 pm

Motion:

Moved Cr Shaw seconded Cr Lehmann

That the dates for the Budget meetings are listed as follows:

Preliminary Budget Meeting - Wednesday 21 June 2006 – 9.00am; and

Formal Budget Meeting – Thursday 27 July 2006 (July General Council Meeting)

Carried 9/0

9.4.11 **Sir Johannes Bjelke-Petersen Memorial Centre**

Background:

The public committee entrusted with the project has met a number of times and explored a number of options. The project is now to a stage where a full feasibility study needs to be undertaken. The estimated cost of this study is \$50,000

The committee are preparing a brief for the calling of tenders for the Feasibility Study and will be seeking Federal Government, State Government and Tarong Coal Community Benefit funding for the Study. The High School has indicated its participation with \$5,000 offered as has the High School P & C who also have offered \$5,000.

Motion:

Moved Cr Lehmann seconded Cr Campbell

That Council offer \$5,000 towards the feasibility study for the Sir Johannes Bjelke-Petersen Memorial Centre

Carried 9/0

PRECEDENCE:

Motion:

Moved Cr Campbell seconded Cr Lehmann

That precedence in the Order of Business be given to consideration of Works & Services Section

Carried 9/0

10. **WORKS AND SERVICES SECTION**

10.1 **Business Arising Out of Minutes**

Nil

10.2 **Correspondence**

10.2.1 **Queensland Spatial Information Office** - Forwarding notification of an amendment to the Standard for Rural and Urban Addressing to give Councils Control of naming of private roads

Background:

As discussed in the letter Councils have traditionally not had the power to control or regulate the naming of roads in private developments such as group title developments. The change to the Australian Standard has does not give the Council the power directly but provides an instrument whereby approvals for such developments could be conditioned so as to comply with the standard.

It is a basic community expectation that Councils are the “keeper” of this information and as such it is an enhancement to the current situation.

Motion:

Moved Cr Campbell seconded Cr Shaw

That the letter be received

Carried 9/0

- 10.2.2 **Wambo Shire Council** - Requesting Council agree to share costs to construct low standard bitumen sections of Jarail Road

Background:

Kingaroy Shire has received similar requests from the Stewarts and McLaughlin's to seal sections in front of the properties. Councillors on the Area 3 inspections specifically looked at this issue and felt that there was a definite need given the current problem. Council have not specifically allocated any funds for this project but have allocated \$20,000 this financial year to works on Niagra Road which included the intersection with Jarail Road and removal of some dangerous corners on Niagra Road. The approximate cost to date of the intersection was \$33,000 of which Council agreed to fund 50%.

Given the recently announced R2R supplementary funding (see 10.2.4) there is scope and available unallocated funds to undertake the requested works in the 2006/07 financial year and it is recommended that Wambo Shire Council be advised that Kingaroy agrees to a half share of the low cost seal improvement estimated at \$20,000

Motion:

Moved Cr Campbell seconded Cr Carroll

That Council agree in principle and the project be included for consideration in the 2006/2007 Budget Works Program

Carried 9/0

- 10.2.3 **Department of Natural Resources & Mines** - Requesting Council's comments in relation to the reissuing of a fresh Term Lease to Russell & Michaela Rose over Lot 30 on BO560 to be used under the same terms and conditions as previously granted under the Special Lease 33/48637

Background:

The area in question is a State Forestry Lease for which Council is not trustee and hence has no jurisdiction or particular interest in. The area is not an area of concern in relation to environmental issues.

It is recommended that Council advise the department of Natural Resources, Mines and Water that being a State Forest Council does not have a vested interest in the areas but that it offers no objection to the proposed lease

Motion:

Moved Cr Campbell seconded Cr Woods

That Council advise the Department of Natural Resources, Mines and Water that being a State Forest, Council does not have a vested interest in the area but that it offers no objection to the proposed lease

Carried 9/0

- 10.2.4 **Minister for Local Government, Territories & Roads** - Requesting the completion and return of the acknowledgement regarding the offer of a grant under the Supplementary AusLink Roads to Recovery Programme.

Background:

Officers will be filling out the necessary paperwork to ensure Council receive the funding as offered. It should be noted that as with RtR and R2R the Supplementary funding it is a condition that Council not reduce its funding to roadworks for the term of the funding.

Motion:

Moved Cr Campbell seconded Cr Trout

That the actions of the Chief Executive Officer in returning the signed acknowledgement be endorsed

Carried 9/0

10.3 **General Business**

10.3.1 **Directors Report – Engineering and Development Services**

Background:

Report Nos: (E1-E11)

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

Motion:

Moved Cr Campbell seconded Cr Lehmann

That the report be received

Carried 9/0

10.3.1.1 **Speed Reviews**

Motion:

Moved Cr Campbell seconded Cr Lehmann

That Barkers Creek Road chainage 1.6 to 2.4 to be reduced from 80 km/h down to 60 km/h subject to approval from Main Roads and that Tessmanns Road be reduced from 80 km/h down to 60 km/h from the intersection of Barkers Creek road to the intersection of Graham Street

Carried 9/0

10.3.1.2 **O'Neill Square – Tipuana Trees**

Motion:

Moved Cr Shaw seconded Cr Campbell

That appropriate allocations be submitted for budget consideration to progressively replace affected trees in O'Neill Square

Carried 7/2

Cr Lehmann and Cr Woods recorded their votes against the motion

10.3.1.3 **Hanging Baskets – Kingaroy CBD**

Motion:

Moved Cr Shaw seconded Cr Coleman

That the hanging baskets be removed and the watering be deleted from the Street Cleaning / Maintenance Contract

Carried 5/4

10.3.2 **Advertising for Assistant Water & Sewerage Engineer or Technical Officer**

Background:

With the pending retirement of the Water & Sewerage Engineering and the promotion of the Assistant Engineer to this position, there is a need to advertise for a replacement Assistant Water & Sewerage Engineer or Technical Officer as soon as possible, in order to fill the vacancy.

Motion:

Moved Cr Dalton seconded Cr Lehmann

That Council advertise for the position of Assistant Water & Sewerage Engineer or Technical Officer to assist the Water & Sewerage Engineer

Carried 9/0

PRECEDENCE:

Motion:

Moved Cr Lehmann seconded Cr Dalton

That precedence in the Order of Business be given to consideration of Rural Communities & Environmental Services Section

Carried 9/0

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

11.1 **Business Arising Out of Minutes**

- 11.1.1 **D & G Livestock** - Forwarding a proposal to Council for consideration to stage stud cattle sales within the Coolabunia Saleyards complex.

Background:

Report Nos: (F1-F2)

Kingaroy Shire Council and D&G Livestock have undertaken further discussions and investigations to progress the proposal for Coolabunia Saleyard Facility to include a Show Ring for Stud Cattle and Horse sales.

The Manager of Natural Resource Management, Pest & Livestock Services submitted a written report outlining the recommended activities and costs to develop the pig and calf pen facility into a Stud Cattle and Horse Show Ring and recommending that Council agrees to the proposal of developing a Show Sale Ring in the Pig and Calf Pen Shed and the allocation of funds to be provided in the 2006 / 07 budget for completion of Stage 1 of the proposal

Motion:

Moved Cr Carroll seconded Cr Woods

That the report be received and adopted

Carried 9/0

11.2 Correspondence

- 11.2.1 **Minister for Local Government, Territories & Roads** - Forwarding an information kit and a programme application and encouraging Council to consider any eligible activities in our Local Government Area to receive funding from the Bushfire Mitigation Programme

Background:

The Bushfire Mitigation Programme is a national programme aimed at identifying and addressing bushfire mitigation risk priorities across the nation. Eligible activities for funding include; construction and maintenance of fire trails, signage of fire trails and related accessibility activities that contribute to a safer, sustainable community which are better prepared for fire and able to withstand the effects of fire. Funding is to be shared on a one third basis between Australian, State and Local Government.

Kingaroy Shire Council to consider applying for funding to support the development of fire trails and breaks within environmental reserves.

Motion:

Moved Cr Carroll seconded Cr Shaw

That Council apply for funding to support the development of fire trails and breaks within the environmental reserves

Carried 9/0

- 11.2.2 **Burnett Mary Regional Group for Natural Resource Management Inc** - Advising that the Burnett Mary Regional Group for Natural Resource Management Inc is calling a General Election and nominations close 26 May 2006

Background:

Burnett Mary Regional Board consists of 2 Local Government Directors. Local Government Authorities located in the western Burnett Shires are invited to nominate elected members for the positions.

Motion:

Moved Cr Carroll seconded Cr Shaw

That the letter be received

Carried 9/0

- 11.2.3 **Department of Natural Resources, Mines and Water** - Forwarding details regarding Kingaroy Shire Stock Route Water Facilities and requesting we forward a response stating our acceptance or otherwise of the offer before the end of the financial year

Background:

This matter has been discussed within the Natural Resource Management, Pest & Livestock Report on F6 with the following recommendation:

That Council investigate the costs of purchasing, up-grading and on-going maintenance costs of the Crawford, Kingaroy Barkers Creek and Deep Creek water facilities. These costings to be presented and considered at the preliminary budget meeting

Motion:

Moved Cr Carroll seconded Cr Lehmann

That Council investigate the costs of purchasing, up-grading and on-going maintenance costs of the Crawford, Kingaroy Barkers Creek and Deep Creek water facilities. These costings to be presented and considered at the preliminary budget meeting

Carried 9/0

11.3 **General Business**

11.3.1 **Natural Resource Management, Pest and Livestock Report**

Background:

Report Nos: (F3-F16)

The Natural Resource, Pest & Livestock Manager submitted a written report on work undertaken for the period April 2006

Motion:

Moved Cr Carroll seconded Cr Campbell

That the report be received

Carried 9/0

8. **HEALTH SERVICES SECTION**

8.1 **Business Arising Out of Minutes**

8.1.1 **Kerbside Collection**

Background:

Report Nos: (C14-C21)

The Director of Environment, Health & Community Services submitted a written report on the implementation of one (1) kerbside collection per annum

Motion:

Moved Cr Woods seconded Cr Shaw

That Council not conduct an Annual Kerbside Clean-Up Collection

Carried 9/0

8.1.1.1 **Removal of Unwanted Waste from Domestic Premises**

Motion:

Moved Cr Campbell seconded Cr Dalton

That the Director of Environment, Health & Community Services investigate the need for a service for the removal of unwanted waste from domestic premises

Carried 9/0

8.2 **Correspondence**

- 8.2.1 **Senator The Hon Ian Campbell** - Advising the funding application under the Product Stewardship for Oil Transitional Assistance Program was successful and that the Australian Government will offer a grant up to \$22,800 towards Kumbia Project

Background:

Council has been successful in obtaining a grant from the Federal Government's Product Stewardship for Oil Transitional Assistance program for a waste oil facility at the Kumbia landfill. This will enable the purchase of a waste oil facility similar to the one that is at the Memerambi transfer station. It will be provided as part of the development of the transfer station. The grant needs to be completed and acquitted by 20 June 2007.

Motion:

Moved Cr Campbell seconded Cr Coleman

That the letter be received

Carried 9/0

- 8.2.2 **Rachel Huston** - Forwarding an application to keep three (3) dogs in a residential area for property situated at 9 Reservoir Street Kingaroy

- 8.2.3 **Ralph C H & Patraicia R A Brown** - Forwarding letter of support for the application by Rachael Huston to keep three dogs at 9 Reservoir Street Kingaroy. Letter signed by other supporters

Background:

Information supporting the application is still to be received. Despite this, the basis for the keeping of the third dog is that the “dog needed a home, it will give the family exercise and something to do”. Council needs to decide if this justifies the requirement to keep a third dog on the property

Motion:

Moved Cr Lehmann seconded Cr Woods

That Council not accede to the request

Carried 8/1

8.3 General Business

8.3.1 Directors Report – Environment, Health and Community Services

Background:

Report Nos: (C1-C13)

The Director of Environment, Health and Community Services submitted a written report on the Department activities for the month of April 2006

Motion:

Moved Cr Coleman seconded Cr Trout

That the report be received

ATTENDANCE:

Cr Coleman left the meeting

The motion on being put was Carried 8/0

ATTENDANCE:

Cr Coleman returned to the meeting

8.3.1.1 Animal Control – RSPCA Pound Agreement

Motion:

Moved Cr Woods seconded Cr Trout

That the following people be appointed as authorised persons for the purposes of section 7(3), (4) and section 8 of the Local Law No 5 (Impounding of Animals):

- *Sharon Higgs*
- *Lesley Stevenson*
- *Tara Lehman*

Carried 9/0

8.3.1.2 **Cleaning Contract No 538**

Motion:

Moved Cr Lehmann seconded Cr Woods

That Cleaning Contract No 538 be offered to Gavin's Carpet Care for a two (2) year period and at a fixed amount of \$328,020.26 inc GST

Carried 9/0

12. **MAYOR'S MINUTES**

12.1 **Mayor's Report**

Background:

Report Nos: (G1-G5)

The Mayor presented his monthly report covering the period 28 April 2006 to 25 May 2006

Motion:

Moved Cr Lehmann seconded Cr Shaw

That the Mayors report be received

Carried 9/0

ATTENDANCE:

Cr Trout left the meeting

13. **GENERAL BUSINESS**

13.1 **Tarong Energy / Tarong Coal Joint Venture Kunioon Deposit Test Pit**

Background:

Investigations of the Kunioon Coal Deposit by the Tarong Energy / Tarong Coal Joint Venture have commenced. Test drilling is being undertaken and one test pit where coal will be removed to the power station for test firing is being planned.

Motion:

Moved Cr Campbell Cr Shaw

That Council support the reduction in length of time to construct the test coal pit by using double shifts (22 hours per day) and offer no objection to the proposed haulage routes

Carried 8/0

There being no further business the meeting was declared closed

Confirmed before me this day of 2006

MAYOR