

Minutes of the meeting of the Kingaroy Shire Council, held in the Council Chambers, Glendon Street, Kingaroy on Thursday, 24 August 2006 at 9.08 am.

***PRESENT***

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

1. ***LEAVE OF ABSENCE***

Cr Terry Fleischfresser, Cr KM Campbell

**Motion:**

*Moved Cr Trout seconded Cr Lehmann*

*That the apologies and Leave of Absence be received*

*Carried 8/0*

2. ***PRAYERS AND CONDOLENCES***

A motion of sympathy was passed to the relatives of the late Josephine Downey, Daphne Whitnall, Beatrice Steddy, Gordon Moore, Thomas Tuite, Edward Walters, Evelyn Littlewood, Marcel Sprengler, Leslie Wormwald, Charles (Barrie) Wall, Joan Kamholtz & Olga Kamholtz

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

***ATTENDANCE:***

*Cr WD Moss entered the meeting*

***Presentation to Council:***

Dr Kim Houghton, Economist – Strategic Economic Solutions spoke to Council concerning future trends and demographic change

***ADJOURNMENT:***

**Motion:**

*Moved Cr Lehmann seconded Cr Coleman*

*That the meeting adjourn until 11.30 am*

*Carried 9/0*

**RESUMPTION:**

*The meeting resumed at 11.38 am*

**ATTENDANCE:**

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

5. **CONFIRMATION OF MINUTES**

**Motion:**

*Moved Cr Shaw seconded Cr Woods*

*That the minutes of the previous meeting held on Thursday, 27 July 2006 as recorded be confirmed.*

*Carried 8/0*

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

SEE BUSINESS FUNCTION HEADINGS

**DECLARATION OF INTEREST:**

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

*The Deputy Mayor assumed the Chair.*

6. **PLANNING AND DEVELOPMENT SERVICES SECTION**

6.1 **Business Arising Out of Minutes**

- 6.1.1 **Urban Strategies Pty Ltd - IDAS Development Application - Material Change of Use and Reconfigure a Lot - Rural A to Residential A & 13 Lot Subdivision at 130 Taylors Road Kingaroy Lot 313 SP 140675. Applicant: Anthony & Helen Baker - Owner: Anthony & Helen Baker**

**Background:**

Report Nos: (A33 - A47)

The Planning Consultant submitted a written report recommending that the Council approve the application for a Development Permit for Reconfiguring a Lot (creating 13 lots) and Material Change of Use (from Rural A to 13 lots in accordance with the Residential A Zone), under section 6.1.30 of the Integrated Planning Act 1997. Subject to conditions and advice and issue a development permit for the proposed Material Change of Use and Reconfiguring a Lot components and a preliminary approval for the associated Operational Works.

**Motion:**

*Moved Cr Trout seconded Cr Woods*

*That the report be received and adopted*

*Carried 7/0*

6.1.2 **O'Reilly Nunn Favier** - Forwarding an IDAS Application to Reconfigure a Lot - 1 Lot into 2 Lots at Crawford Boogie Road, Crawford - Lot 112 FTZ37440. Applicant/Owner: Les & Dorothy Franklin

6.1.3 **Les Franklin** - Forwarding a request for a change to Application to Reconfigure a Lot - 1 Lot into 2 Lots at Crawford Boogie Road, Crawford - Lot 112 FTZ37440. Applicant/Owner: Les & Dorothy Franklin

**Background:**

Report Nos: (A24 - A32)

The Planning Consultant submitted a written report recommending that the application submitted by Les & Dorothy Franklin for a development permit for the Reconfiguration of a Lot on land described as Lot 112 on FTA37440 into a family lot with the balance area be approved subject to conditions and advice.

**Motion:**

*Moved Cr Coleman seconded Cr Woods*

*That the report be received and adopted*

*Carried 7/0*

**ATTENDANCE:**

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

6.1.4 **Ken Hicks & Associates** – Forwarding an IDAS Application for Material Change of Use to establish 12 Multiple Dwelling Units – 27-29 James Street, Kingaroy – Lots 6 & 7 RP37013. Owner: Dennis A & Anne J Prior – Applicant: My-Steel Homes & Garages

**Background:**

Report Nos: (A9 - A23)

The Planning Officer submitted a written report recommending that Council approve the application and issue a Development Permit - Material Change of Use and Preliminary Approval - Operational Works subject to conditions and advice.

**Motion:**

*Moved Cr Trout seconded Cr Lehmann*

*That the report be received and adopted*

*Carried 8/0*

### 6.1.5 Register of Preferred Road and Park Names for Kingaroy Shire

**Background:**

Report Nos: (A1)

The Manager of Planning Services submitted a written report recommending that the Register of Preferred Road and Park Names for Kingaroy Shire Council be adopted.

**Motion:**

*Moved Cr Trout seconded Cr Shaw*

*That the report be received and adopted*

*Carried 8/0*

### 6.2 Correspondence

- 6.2.1 **KMM Concrete Pty Ltd - David & Janelle Collin** - Forwarding an IDAS application for Material Change of Use from Cattle Grazing to proposed sand extraction at Wilsons Road, Gordonbrook - Lot 49 BO544

**Background:**

Outstanding procedures include Acknowledgement Notice to issue, Referral Co-ordination required and Public Notification procedures to be undertaken.

**Motion:**

*Moved Cr Trout seconded Cr Lehmann*

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

*Carried 8/0*

- 6.2.2 **Brad D Weller** - Requesting Council allow the building of a shed that does not comply with the requirement for a 1.5m boundary on property corner of Matilda and Andrew Streets, Wooroolin

**Background:**

Report Nos: (A5 - A8)

The Building Inspector submitted a written report recommending that Council use its discretionary power to approve the application for a setback of 6.6m minimum from Andrew Street and a setback of 3.0m minimum from Matilda Street, Wooroolin

**Motion:**

*Moved Cr Trout seconded Cr Shaw*

*That the report be received and adopted*

*Carried 8/0*

- 6.2.3 **Jason Norris** - Forwarding an IDAS application for Material Change of Use for Tattoo Shop/Art work Shop at 27A First Avenue, Kingaroy - Lot 1 RP202297. Owner: Dennis A & Anne J Prior. Applicant: Jason Norris

**Background:**

Outstanding procedures include Acknowledgment Notice to issue and public notification procedures to be undertaken.

**Motion:**

*Moved Cr Trout seconded Cr Woods*

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

*Carried 8/0*

- 6.2.4 **Star Tyrepower - H Ploetz - Tristar Enterprises Pty Ltd** - Forwarding a request to change an existing approval for an environmentally relevant activity of motor vehicle workshop for Star Tyrepower at 190 Haly Street, Kingaroy - Lot 10 & 11 RP36994

**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 8/0*

- 6.2.5 **John & Sue Crane** - Requesting preliminary assessment for proposed guest villa development at 458 Schellbachs Road, Kingaroy - Lot 5 SP139369

**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 8/0*

- 6.2.6 **Ewan D & Wendy N Buttsworth** - Forwarding an application for request to change an existing approval for an extension of the relevant period - RaL - Family Subdivision at 262 Whiterock Road Goodger - Lot 2 RP105996 - Applicant/Owner: Ewan D & Wendy N Buttsworth

**Background:**

Report Nos: (A48 - A51)

The Planning Consultant submitted a written report recommending that Council agree to extend the Relevant Period for 1 year 6 months from the date of the Council meeting.

**Motion:**

*Moved Cr Trout seconded Cr Woods*

*That the report be received and adopted*

*Carried 8/0*

6.2.7 **Local Government Association of Queensland Inc (LGAQ)** - Circular 2006-239: Seeking comments on a discussion paper that outlines proposed improvements to the Integrated Planning Act 1997 by 6 October 2006

6.2.9 **Minister for Environment Local Government & Planning - Desley Boyle** - Requesting comment on the public discussion paper on Dynamic Planning for a Growing State

**Background:**

Council has received Dynamic Planning for a Growing State discussion paper and is to provide comments where necessary prior to 6 October 2006.

**Motion:**

*Moved Cr Trout seconded Cr Lehmann*

*That consideration of the matter be deferred until the September 2006 General meeting and Crs Nunn, Trout, Dalton, Campbell and Woods be authorised to attend the workshop on 5 September 2006 in Toowoomba*

*Carried 8/0*

6.2.8 **Donald C & Christene A Nissen** - Requesting a relaxation of boundary setback for patio cover at residence at 23/25 Carroll Street, Kingaroy

**Background:**

Report Nos: (A2 - A4)

The Assistant Building Surveyor submitted a written report recommending that the relaxation be granted to a minimum of five (5) metres from the Carroll Street alignment

**Motion:**

*Moved Cr Trout seconded Cr Coleman*

*That the report be received and adopted*

*Carried 8/0*

6.2.9 **Max Askew's Engine Reconditioning Service** - Requesting Council reconsider the car parking requirements at his business premises at the corner of Haly & George Streets Kingaroy

**Background:**

Report Nos: (A52-A53)

The Consultant Town Planner, Planning Officer and Deputy Director of Engineering submitted a report recommending Council refuse the request, consistent with two previous decisions of Council and in accordance with the requirements of the planning scheme. It should be noted that the requirement has been widely and consistently applied in all other cases including commercial and multiple dwelling units throughout the Shire.

**Motion:**

*Moved Cr Woods seconded Cr Coleman*

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

*Carried 8/0*

**6.3 General Business**

Nil

**ADJOURNMENT:**

**Motion:**

*Moved Cr Lehmann*

*That the meeting adjourn 1.30 pm*

*Carried 8/0*

**Tarong Coal Presentation**

During the Adjournment a presentation was made by Bernie Pegrem and Cameron Halfpenny, Tarong Coal updating Council on the Kunioon Coal Investigation

**RESUMPTION:**

*The meeting resumed at 1.30 pm*

**PRESENT:**

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

**7. WATER AND SEWERAGE SERVICES SECTION**

**7.1 Business Arising Out of Minutes**

Nil

**7.2 Correspondence**

- 7.2.1 Local Government Association of Queensland Inc (LGAQ) - Circular 2006-229:**  
Calling for proposals by 15 September 2006 under the raising National Water Standards Programme

**Background:**

The project is part of the Australian Water Fund managed by the National Water Commission and is aimed at Improving Australia's capacity to measure, monitor and manage its water resources.

There is probably a number of opportunities that exist to submit projects particularly with the work that the NRM section are doing with Catchment Management, however Council has not done any planning for this program and does not have any matching funds.

Grants range from \$100,000 to \$1 M.

The priorities for the water and sewerage section in the immediate future are to get the water treatment and sewerage treatment plants up to current standards and sort out some of issues that are presently before us.

**Motion:**

*Moved Cr Moss seconded Cr Trout*

*That the letter be received*

*Carried 8/0*

**7.2.2 Building Codes Queensland - Forwarding Plumbing Newsflash: Changes to Legislation Affecting Greywater Use****Background:**

The Newflash includes a number of items of interest for Council. These include the Amendments to the Plumbing and Drainage Act requiring Council's to accept applications for Grey Water Systems

- Allow manual bucketing or grey water without the need for approval
- Connecting of a hose to a washing machine outlet without the need for approvals
- Information on the use of tank water in the house - clarifying where tank water can be used
- Detailing the requirements for "cross connected" systems to have back flow prevention devices fitted.

The issue of some concern for Council is the change requiring Council to accept applications for Grey Water Systems. To date we have not considered areas that are appropriate for such systems and do not have internal systems or fee structures in place nor the resources to assess the applications. Council should expect delays in assessing such applications until such time as the systems are in place and resources are available.

It should be noted that the changes above do make it much easier for most residents to use their grey water without the need for approval and is a more practical approach to the ongoing issue.

**Motion:**

*Moved Cr Trout seconded Cr Moss*

*That the letter be received*

*Carried 8/0*

### 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 16 July 2006 to 16 August 2006

**Motion:**

*Moved Cr Coleman seconded Cr Shaw*

*That the report be received*

*Carried 8/0*

### 8. **HEALTH SERVICES SECTION**

#### 8.1 **Business Arising Out of Minutes**

Nil

#### 8.2 **Correspondence**

##### 8.2.1 **Environmental Protection Agency - Qld Parks & Wildlife Service** - Requesting comment on the 2007 State of Environment Report Structure and Content

**Background:**

The EPA is giving local governments the opportunity to provide input into the structure of the State of Environment Report, which is produced every four (4) years. Given the importance that this Report could have, and the limitations the Report currently has, it is an opportunity that Council should take up. It is recommended that a submission be made to the EPA.

**Motion:**

*Moved Cr Lehmann seconded Cr Coleman*

*That the matter be referred to Director of Environment, Health & Community Services for response*

*Carried 8/0*

##### 8.2.2 **Darryl K & Lorraine A Campbell** - Requesting Council consider their requests in relation to the lease of the Kumbia Cemetery block

**Background:**

A copy of the lease agreement has been located, which revealed that Council entered into a three (3) year lease agreement with the Campbells in 1995. Whilst they have continued paying an annual fee for the lease, the document is no longer current. It is an opportune time to enter into a new lease agreement, taking into account the latest requests.

**Motion:**

*Moved Cr Woods seconded Cr Moss*

*That Council negotiate with the Campbells for the lease of the Kumbia Cemetery block, Lot 181 FY2651 Parish Taabinga*

*Carried 8/0*

- 8.2.3 **Minister for Environment Local Government & Planning - Desley Boyle -**  
Requesting submissions by 31 August 2006 in relation to the Draft Code of Environmental Compliance for Poultry Farming

**Background:**

The Government has released the draft Code in relation to the management of environmental issues relating to meat poultry farms. Council has an opportunity to provide comment on the draft Code. The aim of the Code is to bring consistency across the State when assessing and drafting conditions under the Environmental Protection Act for meat poultry farms

**Motion:**

*Moved Cr Lehmann seconded Cr Shaw*

*That the letter be received*

*Carried 8/0*

8.3 **General Business**

8.3.1 **Directors Report – Environment, Health and Community Services**

**Background:**

Report Nos: (C1 - C15)

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

**Motion:**

*Moved Cr Moss seconded Cr Trout*

*That the report be received*

*Carried 8/0*

9. **CORPORATE AND COMMUNITY SERVICES SECTION**

9.1 **Business Arising Out of Minutes**

Nil

9.2 **Correspondence**

- 9.2.1 **Office of the Queensland Studies Authority -** Requesting comments on the Queensland Studies Authority (OSA) consultation - A proposed blueprint for the future development of syllabuses.

**Background:**

Since 2000, significant reforms have shaped education. Legislation has increased the school leaving age and the Queensland Certificate of Education is being introduced which requires an equal amount of training to set standards. A review of syllabuses for the senior phase of leaving commenced in 2005 and has shown that current arrangements do not equip students to meet the challenges of the future. The proposed blueprint is the result of the review and is intended to set the principles for future syllabuses to ensure the appropriate learning for the 21<sup>st</sup> Century is achieved. Although a little outside of Council's operation, Council has been encouraged to make comment on this important issue.

**Motion:**

*Moved Cr Lehmann seconded Cr Trout*

*That the matter be referred to Cr Coleman for comment if required*

*Carried 8/0*

- 9.2.2 **Local Government Association of Queensland Inc (LGAQ)** - Circular 2006-218: Advising of a review of the Local Government and City of Brisbane Act on 20 July 2006

**Background:**

A review of both the Local Government Act and the City of Brisbane Act was announced by the State Government on 20 July 2006. The terms of reference for the review are to be released in the near future. Council needs to participate in this review to ensure that a modern, appropriate Local Government Act eventuates which meets the needs of our community as well as other communities around the state.

**Motion:**

*Moved Cr Lehmann seconded Cr Shaw*

*That the letter be received*

*Carried 8/0*

- 9.2.3 **Regional Achievers Awards - Community of the Year Award** - Seeking nominations for the Queensland Regional Achievement and Community Awards by 8 September 2006

**Background:**

These are annual awards that recognise the talented, committed and extra ordinary community members who are doing remarkable things for not only themselves but for communities

**Motion:**

*Moved Cr Lehmann seconded Cr Coleman*

*That the letter be received*

*Carried 8/0*

- 9.2.4 **Local Government Association of Queensland Inc (LGAQ)** – Circular 2006-228  
Requesting submissions for funding by Monday 11 September 2006 for Blueprint for the bush funding

**Background:**

'Building Rural Links' is to provide small one off grants to consortia of organisations delivering services in rural and regional Queensland. Funding is designed to assist non – Government organisations to improve the quality of services provided and create administrative efficiencies

**Motion:**

*Moved Cr Lehmann seconded Cr Carroll*

*That the letter be received*

*Carried 8/0*

- 9.2.5 **Millbank Publications Pty Ltd - Administrators' Source Book** - Requesting Council related articles for inclusion in the Queensland Local Government Administrators Source Book 2006/07

**Background:**

The Queensland Local Government Administrators Source Book 2006/2007 is distributed free of charge to all Local Governments in Queensland. Each edition features articles supplied by Queensland Local Governments. Articles could be supplied if time permitted, on the Kingaroy Airport and Aviation industries, the Kingaroy South Burnett Medical Workforce Project and the Kingaroy Information, Arts & Heritage Precinct.

**Motion:**

*Moved Cr Lehmann seconded Cr Coleman*

*That Council provide an article for the publication*

*Carried 8/0*

- 9.2.6 **Redistribution Committee for Queensland** - Forwarding details on the public inquiry into the Redistribution of Queensland into Federal Electoral division and advising that they have received Council's objection

**Background:**

A submission on the placing of Kingaroy Shire in the Division of Maranoa was forwarded on 19 July 2006 and a subsequent submission was forwarded after the closure of submissions responding to suggestions by a number of submitters that Kingaroy Shire should be included in the new Division of Wright which is based in Gladstone / Winton. A public inquiry is now planned with sittings in Longreach on 21 August 2006 and Brisbane on 30 August 2006. The committee has been advised that Council will give an oral presentation, although the sitting day is clashing with the LGAQ Conference.

**Motion:**

*Moved Cr Lehmann seconded Cr Woods*

*That the Mayor and Chief Executive Officer be authorised to attend the inquiry into the 2006 Federal Electoral Redistribution being held in Brisbane on 30 August 2006*

*Carried 8/0*

- 9.2.7 **Local Government Association of Queensland Inc (LGAQ)** - Circular 2006-234: Requesting submissions by Friday 8 September 2006 to the Queensland Treasury Review of the Queensland Competition Act 1997

**Background:**

The review is being undertaken to determine if improvements can be made to enhance regulatory policy and process in Queensland

**Motion:**

*Moved Cr Trout seconded Cr Lehmann*

*That the letter be received*

*Carried 8/0*

- 9.2.8 **Department of Communities (Families)** - Advising that nominations are now open for the Minister's Awards for Excellence in Workforce Development and close on Wednesday 6 September 2006

**Background:**

The Minister Awards for Excellence in Workforce Development are for non – Government organisations in the community and disability services sectors. There are four categories and this should allow community and disability organisations to celebrate and share innovative strategies in the area of staff skills, efficiency and client services.

**Motion:**

*Moved Cr Woods seconded Cr Coleman*

*That the letter be received*

*Carried 8/0*

- 9.2.9 **Minister for Local Government, Territories & Roads** - Forwarding a Media Release - Australian Government Funding For Local Government in Queensland

**Background:**

This is the formal advice of the Commonwealth Assistance Grants and Roads Grants for 2006-2007. The Financial Assistant Grant is \$9,000 less than last year whereas the Roads Grant is \$18,000 more than last year.

**Motion:**

*Moved Cr Lehmann seconded Cr Woods*

*That the letter be received and the matter be discussed with the Federal Member for Blair, Mr Cameron Thompson MP.*

*Carried 8/0*

- 9.2.10 **Education Queensland** - Advising that the Minister for Education has decided to "mothball" the Memerambi State School commencing at the 2007 school year

**Background:**

Advice was received in June from the Department of Education of a Community Consultative process to consider the ongoing viability of the Memerambi State School. Letters from the Mayor and Council were provided to the Education Queensland and the School's Parents & Citizens Committee on 31 July 2006. This letter is the decision advice and arrived less than two weeks after the Parents & Citizens Committees and Council's submissions were forwarded.

**Motion:**

*Moved Cr Lehmann seconded Cr Trout*

*That the letter be received*

*Carried 8/0*

- 9.2.11 **Fraser Coast South Burnett Regional Tourism Board** - Forwarding an invitation to occupy a stand at the 2006 Fraser Coast Garden & Leisure Expo on 2 & 3 September 2006

**Background:**

The 2006 Fraser Coast Garden & Leisure Expo is being held on 2 & 3 September 2006 at the Seafront Oval, Hervey Bay. The Fraser Coast South Burnett Regional Tourism Board is managing a stand and is encouraging Councils and Tourism Operators to also staff information stands.

**Motion:**

*Moved Cr Lehmann seconded Cr Shaw*

*That the letter be received*

*Carried 8/0*

- 9.2.12 **Local Government Association of Queensland Inc (LGAQ)** - Circular 2006-240: Requesting Council's write to the federal member seeking their support for the draft resolution recognising Local Government as part of the governance of Australia

**Background:**

The Federal Minister for Local Government, Territories and Roads has provided a copy of the Draft Parliamentary Resolution on Local Government which will be put before the House of Representatives and the Senate for debate in the near future.

The Resolution is the first step towards the long sought after constitutional recognition for Local Government. The resolution reflects the inter-government agreement which was signed between the Australian, State and Territory Governments and ALGA in April this year.

**Motion:**

*Moved Cr Trout seconded Cr Lehmann*

*That Council support the Local Government Association and write to the Federal Member for Blair, Mr Cameron Thompson MP and all Queensland Senators seeking support for the draft resolution recognising Local Government as part of the governance of Australia*

*Carried 8/0*

- 9.2.13 **Suncoast Hinterland Softball Association Inc** - Seeking sponsorship and permission from Council to utilize the sporting grounds in Gordon Street Kumbia in particular EJ Burke Park and the west side of the Tennis Courts to host a Softball Carnival in early February 2007

**Background:**

For many years the Kumbia Softball Carnival was held attracting hundreds of people to Kumbia on a weekend in September. The carnival was possibly the largest regular carnival held anywhere in Queensland and was well supported by clubs from throughout Queensland.

**Motion:**

*Moved Cr Carroll seconded Cr Lehmann*

*That Council grant permission to utilise Council reserves for the Softball Carnival subject to approval from the Kumbia Cricket Club*

*Carried 8/0*

***DECLARATION OF INTEREST:***

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

- 9.2.14 **Edward Carroll, Bernard J Carroll & Moira C Curtain** - Requesting Council consider granting a remission of rates and charges on their property at 6 Edward Street Kingaroy known as "Carroll Cottage" due to the lease being relinquished by Kingaroy and District Historical Society

**Background:**

Report Nos: (D8)

The Manager of Rates & Property submitted a written report recommending that Council approve a remission of rates for property described a Lot 5 RP36992 (Rate Assessment 01498-00000-000) situated at 6 Edward Street, Kingaroy and recorded in Council records as being owned by Edward Carroll.

A meeting was held on 5 June 2006 between the Carroll Family, the Mayor, Deputy Chief Executive Officer, the Manager of Heritage Museum and the Manager of the Heritage & Tourism Precinct. Concern was raised regarding the state in which the building was kept. Not only does dust and dirt make the Cottage unsuitable for displays but the corner of the Cottage is subsiding.

The Manager of the Heritage Museum believes that it is important to retain the Cottage in good condition. In order to achieve this, stumps must be replaced, the house must be exterminated for white ants and the walls repaired as when wet they tend to crumble.

All involved at the meeting agreed that they would like to see the cottage preserved but not on the current site. As the cottage is heritage listed, Council must have permission from the EPA to move the building.

**Motion:**

*Moved Cr Moss seconded Cr Lehmann*

*That Council agree to a remission of rates for the historical "Carroll Cottage"*

*Carried 7/0*

**ATTENDANCE:**

*Cr Carroll returned to the meeting*

- 9.2.15 **State Disaster Management Group** - Seeking feedback on the Operational Planning Guidelines for Local Disaster Management Groups by Friday 15 September 2006

**Background:**

The Department of Emergency Services in association with Local and District Disaster Management Groups has produced the *'Operational Planning Guidelines for Local Disaster Management Groups'*. The document needs to be finalised and comments have been sought from Councils etc to allow this to occur

**Motion:**

*Moved Cr Lehmann seconded Cr Trout*

*That the matter be referred to the Chief Executive Officer for response if required*

*Carried 8/0*

- 9.2.16 **Queensland Rail** - Offering Council the opportunity to purchase surplus Queensland Rail Land at Lot 14 SP109081 for a price of \$78,000 + GST

**Background:**

This land has been the subject of numerous discussions of Council over the years. The most recent discussion was regarding access to the rear of the shops fronting Haly Street in late 2005. Money is available in reserves to purchase this lot.

**Motion:**

*Moved Cr Trout seconded Cr Lehmann*

*That Council agree to purchase Lot 14 SP 109081 at a purchase price of \$78,000 + GST and subject to the terms and conditions outlined in the correspondence with funds being drawn from existing reserves*

*Carried 8/0*

- 9.2.17 **Bevin J & Beverley J Askew** - Requesting Council consider granting a rebate off the cost of the water rates charged at his property at 42 Moore Street Kingaroy as the excessive water usage was the direct result of the damage caused by a hooning vehicle

**Background:**

Report Nos: (D9 - D10)

The Manager of Rates & Property submitted a written report recommending that Council advise the writers that it is unable to accede to the request to reassess water usage charges for the period of June 2006

**Motion:**

*Moved Cr Shaw seconded Cr Trout*

*That the report be received and adopted*

*Carried 5/3*

*Cr Coleman recorded his vote against the motion*

9.3 **Monthly Financial Statements**

**Background:**

Report Nos: (D2 - D7)

The Financial Statements for the period ended 31 July 2006 were presented for Council's approval

**Motion:**

*Moved Cr Lehmann seconded Cr Woods*

*That the Financial Statements for the period ended 31 July 2006 be received and adopted*

*Carried 8/0*

9.4 **General Business**

9.4.1 **Managers Report – Library Services**

**Background:**

Report Nos: (D1)

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

**Motion:**

*Moved Cr Moss seconded Cr Shaw*

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

*Carried 8/0*

**9.4.2 Country Council Meetings**

**Background:**

Council normally conducts a relevant Council meeting in the rural area of the Shire each year. Last year Council held its October meeting at Kumbia after the decision was made to follow an order for Country Council meetings for the duration of this Council. If this order is followed, the next Country Council meeting should be held at Chahpingah.

**Motion:**

*Moved Cr Lehmann seconded Cr Moss*

*That the October General Meeting be held at Chahpingah*

*Lost 3/5*

**9.4.3 South Burnett Tourism Project Steering Committee Meeting**

**Background:**

Report Nos: (D11 - D13)

The South Burnett Tourism Project Steering Committee reported in accordance with the minutes of the meeting held on 7 August 2006

**Motion:**

*Moved Cr Lehmann seconded Cr Shaw*

*That the report be received*

*Carried 8/0*

**9.4.4 Workchoices Legislation - Trading Corporation**

**Background:**

The Federal Government has used the corporations power in the Australian Constitution to implement its Workchoices Legislation. As a result each Local Government has to assess the activities it is engaged in to determine if they are trading or financial activities and whether they are significant. This assessment has been undertaken for Kingaroy Shire Council and it has been determined that in excess of 20% to 25% of our revenue comes from trading activities.

**Motion:**

*Moved Cr Woods seconded Cr Lehmann*

*That an assessment has been made on the revenue Council received from its trading activities. It has been determined that a significant portion of Council's revenue is received from trading activities and accordingly resolves that it is a trading corporation for the purposes of the Workchoices legislation*

*Carried 8/0*

**PROCEDURE:**

**Motion:**

*Moved Cr Lehmann seconded Cr Coleman*

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

*Carried 8/0*

**6. PLANNING & DEVELOPMENT SERVICES (CONT)**

**6.2 Correspondence**

- 6.2.10 **Max Askew's Engine Reconditioning Service** - Requesting Council reconsider the car parking requirements at his business premises at the corner of Haly & George Streets Kingaroy

**Background:**

Report Nos: (A52-A53)

The Consultant Town Planner, Planning Officer and Deputy Director of Engineering submitted a report recommending Council refuse the request, consistent with two previous decisions of Council and in accordance with the requirements of the planning scheme. It should be noted that the requirement has been widely and consistently applied in all other cases including commercial and multiple dwelling units throughout the Shire.

**Motion:**

*Moved Cr Trout seconded Cr Shaw*

*That the report be received and adopted*

*The motion was Carried 5/4 with the Deciding Vote of the Mayor*

**10. WORKS AND SERVICES SECTION**

**10.1 Business Arising Out of Minutes**

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

**Background:**

The project has been included in the draft Area - Capital Works Program which is submitted for adoption this month. It is recommended that the project be included in the program.

**Motion:**

*Moved Cr Trout seconded Cr Carroll*

*That the project be included in the Area Capital Works Program for 2006/2007*

*Carried 8/0*

**10.2 Correspondence**

- 10.2.1 **Fraser Coast Building Certification** - Requesting permission to build a new deck and steps over the sewer as part of extensions - IDAS - Change to an Existing Approval at 126-128 Kingaroy Street Kingaroy - Applicant: Rubicon Constructions Pty Ltd; Owner: Kingaroy RSL

**Background:**

The request is subsequent to the recent application to vary the approval for the Kingaroy RSL for the construction of "Smokers Decks". The matter was not picked up until the building approval was submitted to Council by the Certifier and they were requested to submit an application for approval to build over the sewer.

The RSL is located over an existing sewer and the decks merely replace the old deck and stairs already in existence. The Council's current policy does not allow building over the sewer. There are a number of similar situations in the CBD and in particular a current matter at the Carrollee Hotel Bottle shop.

A report will be submitted to the September Meeting in relation to building over sewers as a result of the recent "George Street Sewer" matter. It is suggested that a decision on this matter be deferred pending the completion and adoption of this report by Council.

**Motion:**

*Moved Cr Trout seconded Cr Woods*

*That consideration of the matter be deferred until the September 2006 General meeting*

*Carried 8/0*

- 10.2.2 **Fifty Plus Fitness Pty Ltd** - Requesting an expression of interest in participating in the 50 + fitness program

**Background:**

The request is for Council support, at no cost, for a program that aims to improve the mobility and develop exercise programs aimed at improving fitness levels, hand eye co-ordination, mental alertness and others issues.

The program appears to be worthy and as there would be no cost to Council then support should be offered.

**Motion:**

*Moved Cr Trout seconded Cr Shaw*

*That Council support the program*

*Carried 8/0*

- 10.2.3 **Local Government Association of Queensland Inc** - Circular 2006-230: Seeking feedback by 15 September 2006 on the release of the Roads off alignment and undedicated roads: Guidelines for Local Government publication

**Background:**

Kingaroy Shire has not actively used the Guidelines to acquire land for roads or correct anomalies. There are a number of roads that we are aware of that are off alignment and they are dealt with as the opportunity arises through direct negotiation with the landowners. Generally the difficult situations arise in leasehold areas.

As such it would be suggested that unless Councillors have particular issues, no submission be made.

**Motion:**

*Moved Cr Woods seconded Cr Coleman*

*That the letter be received*

*Carried 8/0*

- 10.2.4 **Kumbia Kindergarten** - Seeking permission to hold a seven-a-side cricket day at the Kumbia Cricket Grounds on Saturday 7 October 2006 and requesting Council's endorsement to sell alcohol for the event

**Background:**

The request is from a Genuine Community organisation for fundraising activities and is consistent with other community group activities that have been approved over the years and would be subject to the normal conditions under the licensing requirements.

**Motion:**

*Moved Cr Lehmann seconded Cr Carroll*

*That Council approve the request subject to the usual conditions*

*Carried 8/0*

10.3 **General Business**

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

**Background:**

Report Nos: (E1 - E6)

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 22 July 2006 to 15 August 2006

**Motion:**

*Moved Cr Lehmann seconded Cr Coleman*

*That the report be received*

*Carried 8/0*

**10.3.2 Capital Works Program****Background:**

Report Nos: (E7 - E8)

The Deputy Director of Engineering & Development Services submitted a written report recommending that the Capital Works Program for 2006/2007 be adopted by Council

**Motion:**

*Moved Cr Coleman seconded Cr Lehmann*

*That the Capital Works Program for 2006/2007 report be received and adopted*

*Carried 8/0*

**10.3.3 Fuel Installation at Kingaroy Aerodrome****Background:**

Report Nos: (E9 – E10)

A written report was submitted from Technical Officer, Guy Beutel on the establishing of an aircraft refuelling facility at the Aerodrome and recommending that Option 7 as below

OPTION	TENDERER	TANK SIZE	QUOTATION	COUNCIL COSTS	TOTAL VALUE	COMMENTS
7	Lennon Engineering	55kl	\$183,217	\$45,000	\$228,217	Bowser to be located at existing location. Council to do Civil Works (concrete, trench and backfill, bitumen patch and supply three phase power to area) Stainless steel pipe underground to existing bowser site. Bund not required around a double walled tank

is the preferred option for the following reasons:

- The Tender meets all the requirements and current standards
- John Lennon Engineering provided exceptional service for the old system and specialises in Aerodrome fuel installations
- Tender is the lowest that meets all requirements

**Motion:**

*Moved Cr Woods seconded Cr Shaw*

*That Council accept the offer by Lennon Engineering for \$183,217*

*Carried 8/0*

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

11.1 **Business Arising Out of Minutes**

Nil

11.2 **Correspondence**

- 11.2.1 **Local Government Association of Queensland Inc (LGAQ)** - Circular 2006-225: Inviting comments by 31 August 2006 in relation to the draft Guideline that may enable Councils to be exempt from applying for Riverine Protection Permits under the Water Act 2000

**Background:**

Department of Natural Resources and Mines is inviting comments from Local Governments regarding the exemption for riverine protection permits when undertaking vegetation removal, excavation or placement of fill in a watercourse, lake or spring. The Department has consolidated 3 guidelines into one. Any activity inconsistent with the guidelines would require authorisation by a riverine protection permit under the Water Act. Comments from Natural Resource Management unit and Engineering Department will be provided to DNRM by 31 August 2006.

**Motion:**

*Moved Cr Carroll seconded Cr Moss*

*That the matter be forwarded to the Director of Engineering & Development Services and the Manager of Natural Resource Management, Pest & Livestock for comment*

*Carried 8/0*

11.3 **General Business**

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

**Background:**

Report Nos: (F1 - F4)

The Natural Resource, Pest & Livestock Manager submitted a written report on work undertaken for the period ended 31 July 2006

**Motion:**

*Moved Cr Carroll seconded Cr Lehmann*

*That the report be received*

*Carried 8/0*

11.3.1.1 **Pest Management and Livestock Services – Pest Survey Program**

**Motion:**

*Moved Cr Woods seconded Cr Carroll*

*That Council resolve to carry out an approved pest survey program of properties within the Kingaroy Shire as required under Section 241 of the Land Protection (Pest and Stock Route Management) Act 2002. That the pest survey program be advertised 28 and 31 August 2006 and commence on 1 September 2006, extending over a period of three (3) months and expiring on 31 December 2006.*

*Carried 8/0*

11.3.1.2 **Coolabunia Saleyards – Fees & Charges**

**Motion:**

*Moved Cr Carroll seconded Cr Lehmann*

*That the amended Saleyard fees and charges as follows be adopted:*

- *Liveweight Sale (weighing and yard due fees) for selling cattle through the saleyard facility (this fee was combined at the June meeting)*

*Liveweight Sale (weighing and yard due fees) - \$3.20/head/day \$3.52*

*Open Auction (yard due fee only, not weighed) - \$2.20/head/day \$2.42*

- *Combine and increase the Agents Licence Fee and Scale Fee for agents selling cattle through the saleyard facility*

*Agents Licence and Scale Fee - \$0.57/head \$0.63*

*Carried 8/0*

12. **MAYOR'S MINUTES**

12.1 **Mayor's Report**

**Background:**

Report Nos: (G1 - G2)

The Mayor presented his monthly report covering the period 28 July 2006 to 24 August 2006

**Motion:**

*Moved Cr Lehmann seconded Cr Trout*

*That the Mayors report be received*

*Carried 8/0*

13. **GENERAL BUSINESS**

There being no further business the meeting was declared closed

Confirmed before me this ..... day of ..... 2006

**MAYOR**