

Minutes of the meeting of the Kingaroy Shire Council, held in the Council Chambers, Glendon Street, Kingaroy on Thursday 23 November 2006 at 9.02 am.

PRESENT:

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

6. ***LEAVE OF ABSENCE***

Nil

7. ***PRAYERS AND CONDOLENCES***

A motion of sympathy was passed to the relatives of the late Audrey Mira Sperling, Sylvia Phyllis Badrick, Evelyn Joyce Magrath, Patricia Mary Murray, Dwight Clarry Whip, Barry McGill, Narelle Ann Margaret Kelly and John Edwin McLennan

A representative of the Ministers Fraternal offered prayers for the bereaved, for Council and for the conduct of the Council meeting

8. ***ADDRESS FROM PUBLIC GALLERY***

Mrs Del Schwenke and Mr Mike Torrens addressed Council concerning Tessmanns Road North Issues

9. ***RECEIPT OF PETITIONS***

Nil

10. ***CONFIRMATION OF MINUTES***

Motion:

Moved Cr Lehmann seconded Cr Shaw

That the minutes of the previous meeting held on Thursday 26 October 2006 as recorded be confirmed.

Carried 11/0

PRECEDENCE:

Motion:

Moved Cr Dalton seconded Cr Carroll

That precedence in the Order of Business be given to the following matter

Carried 11/0

10. ***WORKS & SERVICES SECTION***

10.1 ***Business Arising Out of Minutes***

- 10.1.1 **Alan E & Mark C & Delwyn M Schwenke** - Forwarding a signed submission to Council as landowners of properties adjoining and adjacent to Tessmanns Road requesting that the road be maintained to a usable standard as a designated road (signed by various property owners)

10.2 **Correspondence**

- 10.2.1 **Michael & Tina Torrens** - Requesting Tessmans Road remain open right through from the Curtis; Taylor and Booie Crawford entry points and to be maintained and upgraded
- 10.2.2 **Kingaroy Landcare Group** - Forwarding a recommendation to Council to permanently close the unformed section of Tessmanns Road and survey it for gazettal as a Reserve for Environmental Purposes and enclosing a copy of a report "Mt Jones Plateau Flora Survey"

Background:

Report Nos: (E9-E14)

The Manager of Natural Resource, Pest & Livestock submitted a written report concerning the unformed section of Tessmanns Road Kingaroy

- 10.2.6 **Alan E & Mark C & Delwyn M Schwenke** - Forwarding reasons for their request to Council to retain access to their property along Tessmanns Road North and asking that the road be maintained to a useable standard

Motion:

Moved Cr Dalton seconded Cr Woods

That the matter lay on the table and consultation be undertaken with relevant stakeholders and community members

Carried 11/0

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 an application to convert Preliminary Approval to Development Permit for 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: (A51-A63)

Insite Strategies Pty Ltd (Consultant Planners) submitted a written report recommending that the Council decide the application for a Development Permit for Reconfiguring a Lot (creating 46 lots) under section 6.1.30 of the Integrated Planning Act 1997 by approving all of the application subject to conditions and advice.

Motion:

Moved Cr Trout seconded Cr Campbell

That the report be received and adopted

Carried 10/0

- 6.1.2 **O'Reilly Nunn Favier** - Requesting approval of "Lara Court" as the road name of the cul de sac in Stage 3 of Premier Estate

Background:

Report Nos: (A35-A37)

The Planning Officer submitted a report recommending that the applicant be advised the following:

- That the name, Lara Court be made available for use.
- Fisher Street is not available for use on the road known as Link Road.

Council would encourage the applicant to discuss further with Kingaroy Shire Council regarding the naming of further streets. It is brought to the applicant's attention that there is a Register of Preferred Road and Park Names. Council has approved this list of names for use

Motion:

Moved Cr Trout seconded Cr Shaw

That the report be received and adopted

Carried 10/0

- 6.1.3 **O'Reilly Nunn Favier** - Forwarding an IDAS Development Application - Reconfiguring a Lot - Family Lot Subdivision - 1 Lot into 2 Lots at 64 Jorgensen Road Kingaroy - Lot 139 FY107 - Applicant: Jason Jorgensen & Trevena Lucas; Owner: Neville Jorgensen

Background:

Report pending completion of assessment.

Motion:

Moved Cr Trout seconded Cr Campbell

That consideration of the matter be deferred pending completion of the assessment report

Carried 10/0

- 6.1.4 **O'Reilly Nunn Favier** - Seeking a development permit to create a long term lease over part of Lot 5 SP106946 - 6 Cornish Street, Kingaroy. Applicant: Kingaroy Musical Comedy Association; Owner: Kingaroy Shire Council

Background:

Report Nos: (A14-A26)

Application approved by delegated authority on Thursday 16 November 2006. Refer to Insite Strategies Pty Ltd (Consultant Planners) report for information

Motion:

Moved Cr Campbell seconded Cr Trout

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

Carried 10/0

- 6.1.5 **O'Reilly Nunn Favier** - Forwarding an IDAS Application seeking a boundary realignment for properties at Redmans and Malar Roads, Kingaroy - Lot 4 RP205532 and Lot 116 FTZ37472. Applicant: Col Otto; Owner: CS & AJ Otto

Background:

Report pending completion of assessment.

Motion:

Moved Cr Trout seconded Cr Campbell

That consideration of the matter be deferred pending completion of the assessment report

Carried 10/0

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

Background:

Report pending completion of assessment.

Motion:

Moved Cr Shaw seconded Cr Trout

That consideration of the matter be deferred pending completion of the assessment report

Carried 10/0

6.2 **Correspondence**

DECLARATION OF INTEREST:

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

- 6.2.2 **O'Reilly Nunn Favier** - Forwarding IDAS Application - Material Change of Use - Proposed Tractor Parts Sales & Storage at 9-11 Alexander Street Wooroolin - Lot 1 RP113672 - Applicant: O'Reilly Nunn Favier; Owner: Dalton Agribusiness Pty Ltd

Background:

Outstanding procedures include an information request, responses from concurrence agencies - Department of Main Roads and the Environmental Protection Agency and public notification procedures.

Motion:

Moved Cr Trout seconded Cr Fresser

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

Carried 9/0

ATTENDANCE:

Cr Dalton returned to the meeting.

- 6.2.7 **O'Reilly Nunn Favier** - Seeking a development permit to realign the boundary between Lot 1 SP197439 and Lot 2 RP179089. Owner/Applicant: L & D Franklin

Background:

Report pending completion of assessment.

Motion:

Moved Cr Trout seconded Cr Campbell

That consideration of the matter be deferred pending completion of the assessment report

Carried 10/0

- 6.2.8 **O'Reilly Nunn Favier** - Seeking an extension of six (6) months to complete the subdivision at Lot 4 RP179196 - R & M Stephens

Background:

Report pending completion of assessment.

Motion:

Moved Cr Trout seconded Cr Campbell

That consideration of the matter be deferred pending completion of the assessment report

Carried 10/0

ATTENDANCE:

The Mayor returned to the Meeting and resumed the Chair

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

- 6.1.7 **AG Martin Design & Drafting** - Forwarding IDAS Application - Material Change of Use - Proposed Two - Two Bedroom and Two - Three Bedroom Units at 100 Alford Street Kingaroy - Lot 1 RP61882 - Applicant/Owner: P Jensen

Background:

Report Nos: (A1-A13)

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

Motion:

Moved Cr Trout seconded Cr Campbell

That the report be received and adopted

Carried 11/0

- 6.1.8 **Oxford Crest Pty Ltd** - Forwarding an IDAS Application for request to change an existing approval to stage the development in two (2) stages as per plans provided for proposed Independent Living Unit Community at Corner of Youngman Street and Banksia Drive

Background:

Report Nos: (A39-A50)

Insite Strategies Pty Ltd (Consultant Planners) submitted a written report recommending that Council approve the request for a minor change to the approval in accordance with section 3.5.33(8) of the Integrated Planning Act 1997, subject to conditions of approval dated 23 June 2005 and the following changes-

- Replace MCU 1 Approval with-

“That development of the subject land proceed generally in accordance with the proposed site plans, 2664 DA G November 05 & 2664 DA B June 05, prepared by Alex Enborisoff Architects, submitted as part of the request to change the existing approval application”.

- Amend OW 1 to include the dedication of the new road along Youngman Street as part of Stage 1 of the approval.

Include a condition that requires all works, including landscaping, associated with each stage of development to be completed prior to the commencement of use of that stage

Motion:

Moved Cr Trout seconded Cr Woods

That the report be received and adopted

Carried 11/0

- 6.1.9 **W & F Hancock** - Forwarding an IDAS Application - Reconfiguring a Lot - One Lot into Two Lots at Lot 168 FTZ37367 - Faughnans Road & Harchs Road - Applicant/Owner: Wayne R Hancock

Background:

Report Nos: (A27-A34)

The Planning Officer submitted a report recommending that Council issue a Development Permit for Reconfiguring a Lot (Family Subdivision) under section 6.1.30 of the Integrated Planning Act 1997 by approving all of the application subject to conditions and advice

Motion:

Moved Cr Moss seconded Cr Coleman

That the report be received and adopted

PROCEDURE:**Motion:**

Moved Cr Dalton seconded Cr Shaw

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

Carried 10/1

- 6.1.10 **Anthony N & Jan S Archer** - Forwarding an application to change an existing approval to replace proposed "Cottage No. 3" with a relocated house - Lot 16 SP148220 - 45 Millers Road Kingaroy - Applicant/Owner: Anthony N & Jan S Archer

Background:

Report Nos: (A64-A70)

The Planning Officer submitted a written report recommending that Council approve the request for a minor change to the approval in accordance with section 3.5.25 of the Integrated Planning Act 1997, subject to conditions of approval dated 15 December 2005, and the following amendments conditions, MCU1 and MCU4 be advised-

- Replace MCU1 Approval with-

Approval is granted to establish four (4) Bed and Breakfast Cottages, as described in IDAS Application Number 127, except as otherwise amended by these conditions. Development of the subject land is to proceed generally in accordance with the following proposal plans prepared by Tyson design studio, numbered 1130-DA-01, 1130-DA-04 and dated October 2006.

- Replace MCU4 Approval with-

The applicant shall provide off-street car parking at the minimum rate of one (1) car parking space per cottage. The minimum dimensions of each car parking space shall be 2.6m x 5.5m. The proposed car parking areas indicated on 1130-DA-01 are considered satisfactory. The off-street car parking and manoeuvring areas shall be gravel constructed to a minimum depth of 75mm, to the satisfaction of the Chief Executive Officer

Motion:

Moved Cr Trout seconded Cr Dalton

That the report be received and adopted

Carried 11/0

6.2 Correspondence (Cont)

- 6.2.1 **Consulting for a Better World P/L - D & W Bermingham** - Forwarding an IDAS Application for Material Change of Use - Restaurant to Weight Loss Centre - 193-199 Haly Street, Kingaroy - Lot 5 RP68577. Owner: Shabu Corporation P/L Applicant: W & D Bermingham

Background:

Outstanding procedures include advertising and compliance with public notification.

Motion:

Moved Cr Moss seconded Cr Campbell

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

Carried 11/0

- 6.2.3 **McLynskey Planners Pty Ltd** - Forwarding an IDAS Application - Request to Change an Existing Approval at Lots 15-18 RP7915 & Lot 31 SP109236 - Kingaroy Street; Avoca Street & Pound Street - Applicant: DGS Property Group P/L - Owner: Babfox P/L as trustee

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 11/0

- 6.2.4 **AG Martin Design & Drafting** - Forwarding a Request to Change an Existing Approval - Modification to Design - Two Units to be Double Storey - 95 Kingaroy Street Kingaroy - Lot 3 RP62878 - Burke & Wills Motor Inn - Applicant/Owner: Edamgrove P/L

Background:

Application is not "properly made" as the applicant has outstanding fees.

Motion:

Moved Cr Trout seconded Cr Campbell

That consideration of the matter be deferred until outstanding fees are paid

Carried 11/0

- 6.2.5 **Wayne E Koch** - Forwarding an application for discretion for siting a building less than 1.5m from the boundary for the purpose of building a patio at 15 Tessmanns Road, Kingaroy - Lot 4 SP198902

Background:

The owner proposes to have built a patio structure which will be within 300mm of the rear boundary. The applicant, Mr Mark Westbrook, has requested a boundary relaxation to allow the patio to be built in the proposed location.

A boundary setback application was received on 6 November 2006 from Mr Mark Westbrook. Mr Westbrook was contacted by telephone on 7 November 2006, and he was advised that for the application to be considered, he would have to provide a site plan of the proposal, and preferably also some details of the type and scale of the proposed construction.

No further information has been received.

It is recommended that a letter be sent to Mr Westbrook with a copy to the owner, explaining that until further details are presented, the application cannot proceed.

Motion:

Moved Cr Trout seconded Cr Woods

That consideration of the matter be deferred pending receipt of further information

Carried 11/0

- 6.2.6 **Rubicon Constructions Pty Ltd** - Forwarding a request to change an existing approval for internal alterations to relocate existing uses, facade alterations and new external smoking deck at Kingaroy & District RSL & Citizens Memorial Club - 126/128 Kingaroy Street

Background:

Report pending completion of assessment.

Motion:

Moved Cr Trout seconded Cr Fleischfresser

That consideration of the matter be deferred pending completion of the assessment report

Carried 11/0

6.3 **General Business**

6.3.1 **Assistant Building Surveyors Report – 8 Reen Street Kingaroy**

Background:

Report Nos: (A38)

The Assistant Building Surveyor submitted a written report concerning an unfenced pool at 8 Reen Street Kingaroy and recommending that enforcement action is commenced immediately to rectify the dangerous situation.

Motion:

Moved Cr Trout seconded Cr Fleischfresser

That the report be received and adopted

Carried 11/0

7. **WATER AND SEWERAGE SERVICES SECTION**

7.1 **Business Arising Out of Minutes**

Nil

7.2 **Correspondence**

7.2.1 **Andrew Fraser MP - Member for Mt Coot-tha** - Advising that Council will receive an initial subsidy of \$195,800.00 (excluding GST) towards the project titled "New Bores at Kumbia" under the eighth round of the Smaller Communities Assistance Program (SCAP)

Background:

The SCAP subsidy is made up of two components of funding namely:

\$18,680 SCAP and \$177,120 LGCWSS – which equates to a total of 44% of the funding required to complete the project submitted – ie Construction of a new Bore and rising main at Reedy Creek. The LGCWSS is a base amount that all local governments are entitled to for trunk mains and supply infrastructure up to a 40% of the project costs.

The total projected costs were \$442,800 to install the bore and rising and associated works. At the stage of preparation of the planning report the calculation of annual charges were based on receiving 100% funding for the works and the community only funding the ongoing operation and depreciation expense, which lead to the preferred option of Reddy Creek at an annual cost of \$579 per residential connection.

These annual charges were calculated with no interest and redemption repayments included and hence are "artificially" low as they don't include these costs. The SCAP guidelines indicate that funding will only apply for the proportion of annual charges above \$570 hence the calculated subsidy may be lower than expected.

At the rate of subsidy gained it is not possible to continue with the project without going back to the community to discuss options or receiving additional funding. Officers will contact the department prior to the committee meeting to identify what options for a review of the funding allocation may be possible.

Also in relation to Kumbia word is yet to be received on the success or otherwise of the application for assistance under the Drought Local Communities Scheme for the cartage of water to Kumbia. Council continues to cart one load of water per day to supplement the bore

Motion:

Moved Cr Dalton seconded Cr Moss

That the letter be received and the matter be further investigated with the Department of Local Government, Planning, Sport & Recreation

Carried 11/0

7.3 General Business

7.3.2 Directors Report – Water and Sewerage

Background:

Report Nos: (B1-B10)

The Director of Engineering & Development Services submitted a written report on activities undertaken during the period 20 September 2006 to 15 October 2006

Motion:

Moved Cr Dalton seconded Cr Trout

That the report be received

Carried 11/0

ADJOURNMENT:

Motion:

Moved Cr Trout seconded Cr Coleman

That the Meeting adjourn for ten (10) minutes

Carried 11/0

RESUMPTION:

The meeting resumed at 11.00am with attendance as previous to the adjournment

PROCEDURE:

Motion:

Moved Cr Dalton seconded Cr Moss

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

Carried 11/0

6. **PLANNING & DEVELOPMENT SERVICE SECTION (CONT)**

6.1 **Business Arising Out of Minutes**

- 6.1.9 **W & F Hancock** - Forwarding an IDAS Application - Reconfiguring a Lot - One Lot into Two Lots at Lot 168 FTZ37367 - Faughnans Road & Harchs Road - Applicant/Owner: Wayne R Hancock

Background:

Report Nos: (A27-A34)

The Planning Officer submitted a report recommending that Council issue a Development Permit for Reconfiguring a Lot (Family Subdivision) under section 6.1.30 of the Integrated Planning Act 1997 by approving all of the application subject to conditions and advice

AMENDMENT:

Motion:

Moved Cr Dalton seconded Cr Lehmann

That the report be received and adopted subject to the inclusion of a requirement for a vegetated buffer in accordance with state planning policy 1/92

Carried 6/5

The amendment then became the motion and on being put was declared Carried 8/3

8. **HEALTH SERVICES SECTION**

8.1 **Business Arising Out of Minutes**

Nil

8.2 **Correspondence**

- 8.2.1 **Local Government Association of Queensland Inc (LGAQ)** - Circular 2006-306: Amendments to the Public Health Act 2005 – Asbestos

Background:

From 1 March 2007, the Public Health Act 2005 and associated Regulation will require public health risks relating to asbestos handling to be administered by local government where the asbestos area is less than ten (10) square metres.

The LGAQ and this Council has strongly objected to local government taking up this responsibility.

The State Government has now offered local government a state indemnity in relation to asbestos handling. This issue was one of the sticking points the LGAQ had with the legislation.

In early 2007, Queensland Health will fund a public awareness campaign, which will educate the community about handling and disposing of asbestos safely. Queensland Health's helpline (13HEALTH) will also be available to the community as the first port of call for any asbestos enquiries.

A training program is also being developed and will be provided across the State at the time of implementation of the new legislation.

Motion:

Moved Cr Fleischfresser seconded Cr Shaw

That the letter be received

Carried 11/0

- 9.2.1 **Minister for Local Government, Territories & Roads** - Requesting participation in the 'Eat Well Be Active Queensland Community Partnerships Grants Program' and enclosing a copy of the guidelines

Background:

Applications close on the 15 December for local governments to submit projects under the Queensland Community Partnerships Grants Program. The program will fund partnerships that will implement projects that foster active and healthy lifestyles. It also supports innovative and sustainable projects aimed at increasing participation in physical activity and improving eating patterns. The QCPGP provides grants up to \$50,000 on a matching contribution basis. Council has no budget allocation for such funding opportunities this financial year.

Motion:

Moved Cr Fleischfresser seconded Cr Shaw

That the letter be received

Carried 11/0

8.3 General Business**8.3.1 Directors Report – Environment, Health and Community Services****Background:**

Report Nos: (C1-C5)

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

Motion:

Moved Cr Fleischfresser seconded Cr Lehmann

That the report be received

Carried 11/0

8.3.1.1 Cemeteries**Motion:**

Moved Cr Fleischfresser seconded Cr Lehmann

That a policy be developed on reservation in the monumental section and the removal of flower pieces from Council's Cemeteries

Carried 11/0

9. **CORPORATE AND COMMUNITY SERVICES SECTION**

9.1 **Business Arising Out of Minutes**

Nil

9.2 **Correspondence**

- 9.2.2 **Australia Day Committee** - Requesting support for an Australia Day Fun Day for the families of the South Burnett to be held at the Lyle Vidler Oval and inviting the Mayor to hold the Australia Day Ceremony at the Oval instead of the forecourt at the Town Hall

Background:

An Australia Day Fun Day has been considered by Council on previous occasions but organisational difficulties have prevented such an event being held.

The Australia Day Ceremony was held in O'Neill Square previously but transferred back to the Town Hall due to 'heat' issues for attendees.

Motion:

Moved Cr Trout seconded Cr Lehmann

That Council hold the Australia Day Celebrations at the Kingaroy Town Hall and offer support to the Committee for the Fun Day at the Lyle Vidler Oval and Council investigate a combined function in 2008

Carried 6/5

- 9.2.3 **Department of the Environment and Heritage** - Forwarding a Call for Applications - Second Round for the National Heritage Investment Initiative - closing date Friday 24 November 2006

Background:

The Natural Heritage Investment Initiative is a four year programme and has \$10.5 million funding to help restore and conserve Australia's most important heritage places. Places must be listed on the National Heritage List. There are no Council building listed on either at this time.

Motion:

Moved Cr Moss seconded Cr Trout

That the letter be received

Carried 11/0

- 9.2.4 **Bob Hills & Associates** - Advising that the Audit of Kingaroy Shire Council for 2005-06 has been completed and that there are no matters arising from the Audit which require consideration or response

Background:

For the information of Councillors

Motion:

Moved Cr Lehmann seconded Cr Fleischfresser

That the letter be received and the relevant officers be commended on the financial reports

Carried 11/0

- 9.2.5 **Kingaroy State High School** - Requesting Council consider granting a further extension of six months to June 2007 to hold Mart Auctions from the Pound Street site until the infrastructure and planning requirements to operate from the School have been facilitated

Background:

The Kingaroy State High School Parents & Citizens South Burnett Mart Auction commenced operations at the former Council Depot in April 2005. The Mart Auction raises funds for the Parents & Citizens Committee to contribute to the school as well as integrating with a number of areas of the schools curriculum. Difficulties have been experienced by the Mart Auctions Committee in locating suitable and affordable premises to move to. An extension of time for the use of the site has already been given and the committee now seeks a further six month extension to allow necessary applications.

The decontamination investigation of the site has now been undertaken and the report on these investigations is awaited.

Council has no plans for this financial year to undertake further works on the site, however if approval is given to the request the committee should also be made aware that

- It is likely that no further extensions to the agreement will be granted, and
- Council will be considering the future of the site early in 2007 and if any development is proposed, the area used by the committee may need to be reduced prior to the end of the agreement

Motion:

Moved Cr Woods seconded Cr Coleman

That Council agree to a further six (6) month extension

Carried 11/0

- 9.2.6 **Local Government Association of Queensland Inc (LGAQ)** - Circular 2006-317: Forwarding a response from Minister Fraser to a letter from LGAQ in relation to Size, Shape and Sustainability (SSS)

Background:

For Council's Information & Discussion

Motion:

Moved Cr Lehmann seconded Cr Shaw

That the letter be received

Carried 11/0

- 9.2.7 **Local Government Association of Queensland Inc (LGAQ)** - Circular 2006-310: Inviting nominations from suitable qualified and experienced Council representatives for the 07/08 Social Policy Reference Group by 1 December 2006

Background:

For Councillors Information

Motion:

Moved Cr Lehmann seconded Cr Coleman

That the letter be received

Carried 11/0

- 9.2.8 **Department of Industrial Relations** - Advising the Minister has appointed Monday 13 August 2007 a holiday for the Shire of Kingaroy for the purpose of the Royal Queensland Show

Background:

This approval is in line with Council's request for Exhibition Monday to be gazetted as our show holiday

Motion:

Moved Cr Lehmann seconded Cr Moss

That the letter be received and a copy of the letter be forwarded to the South Burnett Show Society Kingaroy

Carried 11/0

- 9.2.9 **Kingaroy Chamber of Commerce and Industry Inc** - Requesting Council provide sponsorship of \$220.00 (including GST) to be used to keep the cost of running the rides at the Christmas Carnival to a minimum

Background:

As per last year, provision has been made in the current budget for assistance to this function which would incorporate this sponsorship.

Motion:

Moved Cr Lehmann seconded Cr Shaw

That Council agree to provide sponsorship of \$220 towards the rides at the Christmas Carnival

Carried 11/0

- 9.2.10 **Queensland Wildlife Rehabilitation Council Inc** - Seeking a small financial contribution of \$1,000.00 in order to assist QWRC

Background:

No provision has been made in the current budget for this contribution. Council does assist similar organisations within the South Burnett with in-kind assistance when required.

Motion:

Moved Cr Shaw seconded Cr Moss

That the letter be received

Carried 11/0

- 9.2.11 **Local Government Association of Queensland Inc (LGAQ)** - Circular 2006-321: Forwarding details of proposed amendments to the State Development and Public Works Organisation (SDPWO) Act

Background:

For the Information of Councillors

Motion:

Moved Cr Lehmann seconded Cr Trout

That the letter be received and Council support the action taken by the Local Government Association

Carried 11/0

9.3 **Monthly Financial Statements**

Background:

Report Nos: (D2-D7)

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

Motion:

Moved Cr Lehmann seconded Cr Shaw

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

Carried 11/0

9.4 **General Business**

9.4.2 **Managers Report – Library Services**

Background:

Report Nos: (D1)

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

Motion:

Moved Cr Lehmann seconded Cr Woods

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

Carried 11/0

9.4.3 Sustainable Development Forum

Background:

Report Nos: (D8-D9)

The Sustainable Development Forum reported in accordance with the meeting held on the 21 November 2006

Motion:

Moved Cr Lehmann seconded Cr Shaw

That the report be received and adopted

Carried 11/0

9.4.4 Freedom of Information Decision Maker

Background:

Under the Freedom of Information Act the Chief Executive Officer is the principal decision maker unless another officer is appointed by Council Resolution.

Previously Council has appointed the Director of Administration & Finance to be that officer. As a result of recent changes to his position, it is proposed that an additional officer be appointed as Councils Freedom of Information Decision Maker and it is suggested that the Manager of Administration be that officer.

Motion:

Moved Cr Moss seconded Cr Lehmann

That in addition to the Deputy Chief Executive Officer the Manager of Administration be appointed under Section 33(1b)(2) of the Freedom of Information Act 1992 to be Kingaroy Shire Councils Freedom of Information Decision Officer

Carried 11/0

9.4.5 Adoption of Annual Report 2005/2006

Background:

The Chief Executive Officer presented the Annual Report for the year 2005/2006 including the Annual Audited Financial Statements for the year ended 30 June 2006

Motion:

Moved Cr Lehmann seconded Cr Moss

That the Annual Report for the year 2005/2006 including the Annual Audited Financial Statements for the year ended 30 June 2006 be adopted subject to the following correction:

That the heading on page 35 be corrected to read 2006/2007

Carried 11/0

10. **WORKS AND SERVICES SECTION (CONT)**

10.1 **Business Arising Out of Minutes**

- 10.1.2 **Department of Natural Resources, Mines and Water** - Requesting Council advise any requirements with regard to the close and purchase of part of road adjoining Lot 54 FY710 and separating Lot 4 RP50030 from Lot 35 FY1796 by 23 November 2006

Background:

Report Nos: (E17-E23)

The Director of Engineering & Development Services submitted a written report concerning an application to permanently close a road within the Kingaroy Shire

Motion:

Moved Cr Campbell seconded Cr Lehmann

That Council offer no objection to the closure of the section of road between lots 4RP50030, 54FY710 and 53FY1796, subject to the area being amalgamated to lot 54FY710

Carried 11/0

10.2 **Correspondence**

- 10.2.3 **Hon. Paul Lucas MP** - Forwarding confirmation of Regional Road Group Funding announcement of a commitment of \$11m per annum in additional TIDS funding to Regional Road Groups (RRGs)

Background:

Report Nos: (E15-E16)

The Director of Engineering & Development Services submitted a written report concerning funding for project allocations on the Local Roads of Regional Significance network, recommending a program of road works for submission to the Regional Road Group for consideration for the additional funding and ongoing funding for years 2007/08 to 2011/12 in addition to the already approved funding.

Motion:

Moved Cr Campbell seconded Cr Lehmann

That the report be received and the recommended program of road works be submitted to the regional road group for funding

Carried 11/0

- 10.2.4 **John H & Jessie NL Gossow** - Forwarding a letter and signed petition stating the concerns of residents of Murray Parade and surrounding streets regarding excessive speed by resident individuals and requesting Council implement speed bumps in Murray Parade

Background:

The letters mainly refers to specific individuals driving excessively fast and dangerously as opposed to the broader issue of the general public driving fast. The letter also contains two (2) requests – one for policing of the area and the other for speed humps to be installed in the streets.

The first is a matter for the police and is something Council could promote and work with Police on whilst the second is primarily a Council issue. In relation to the policing matter the public can report speeding and dangerous driving directly to the police to take action so long as certain details are taken such as the registration number, time etc. The feedback that is received is that often the police are not particularly successful in specific "blitz's" as the message gets out fairly quickly.

The area described is not dissimilar to most other parts of Kingaroy with a combination of narrower streets eg Murray Parade and Poinciana and wider streets such as Fisher St. Speed has been an issue in the area for some time and previously complaints have been received from residents of Moore St in relation to the matter.

There are numerous traffic calming facilities that could be installed to assist in slowing traffic however they are both expensive and in some cases lead to other problems if not done in a planned and well managed way. The area identified does not have any specific distinguishing factors differentiating it from the majority of the rest of town and as such it would be difficult to prioritise any works above other areas. You could argue that almost all of Kingaroy could be subject to similar problems from time to time.

Council is planning to update its traffic plan in the near future and this may be one of the issues that could be addressed as part of the study so that any works are conducted in a planned and co-ordinated way.

Motion:

Moved Cr Fleischfresser seconded Cr Lehmann

That the writers complaints be forwarded to the Kingaroy Police and the writer be notified accordingly

Carried 11/0

- 10.2.5 **Andrew Hamilton, Mark & Anne Baldacchino, Anthony Postlewaite** - Requesting Council consider opening Irene Street to provide vehicular access to their properties from First Avenue

Background:

The area in question is currently zoned rural and has traditionally been fenced into the adjoining property for grazing purposes. There has until recently been no formal road construction on the section although some work has been undertaken recently by the neighbouring owners.

Council has in the past considered these types of requests and approved them subject to the road being constructed by the applicant to appropriate standards acceptable to Council and that there are no vegetation matters. In this case as the road bounds an industrial area and residential area and there are 8 lots adjoining the road the construction standards would need to be a higher standard.

Should Council approve the request then the following conditions should apply:

- That the street be constructed to a minimum 8 metre gravel standard with a minimum of 150mm gravel pavement
- The formation is excavated to a level such that future works requiring additional pavement and Kerb and Channel would be at a suitable level (ie excavation below natural surface
- Installation of appropriate drainage structures as necessary at the intersection of First Avenue and Irene Street
- Any necessary signage and road furniture be installed in accordance with the Manual of Uniform Traffic Control Devices.
- Where necessary works are to be undertaken under traffic control – particularly First Avenue.
- The works are to be undertaken by a suitably experienced and competent contractor who holds appropriate insurances.
- Council is to be notified at least 7 days prior to the commencement of the works and will be required to inspect the works prior during and after completion and at least 24 hours notice will be required for such inspections.
- Other standard conditions in relation to vegetation and safety etc.

Motion:

Moved Cr Campbell seconded Cr Lehmann

That the request be approved subject to conditions including that such works be at the applicants cost

Carried 10/1

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

Report Nos: (E3-E8)

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 20 October 2006 to 14 November 2006

Motion:

Moved Cr Campbell seconded Cr Trout

That the report be received

Carried 11/0

10.3.2 **Airports & Aviation Outlook 2006 – Cairns Conference**

Background:

Report Nos: (E1-E2)

The Director of Engineering & Development Services submitted a written report on concerning the Airports & Aviation Outlook 2006 Conference which was held on 15 to 19 October 2006

Motion:

Moved Cr Campbell seconded Cr Trout

That the report be received

Carried 11/0

10.3.3 **Temporary Transfers of Kingaroy Shire Council's Tarong Pipeline Allocation**

Background:

Council has received a request for the purchase of a temporary allocation of water from the 90ML that Council hold from the Tarong Pipeline. Officers have advised the applicant that Council would not be prepared to sell any allocation at this point in time due to the rapidly declining levels in Gordonbrook Dam and the continuing dry conditions.

Council may reconsider this position later in the year, in approximately April, once final usage and Dam levels are assessed.

Motion:

Moved Cr Campbell seconded Cr Lehmann

That the report be received

Carried 11/0

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

11.1 **Business Arising Out of Minutes**

Nil

11.2 **Correspondence**

Nil

11.3 **General Business**

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

Background:

Report Nos: (F1-F6)

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

Motion:

Moved Cr Carroll seconded Cr Lehmann

That the report be received

Carried 11/0

11.3.1.1 **Stock Route Water Facilities**

Motion:

Moved Cr Carroll seconded Cr Coleman

Council advise the Department of Natural Resources that it wishes to dispose of the Deep Creek stock route water facility and that Council officers will pursue negotiations to determine if the area can be leased for grazing purposes

Carried 8/3

12. **MAYOR'S MINUTES**

12.1 **Mayor's Report**

Background:

Report Nos: (G1-G8)

The Mayor presented his monthly report covering the period 26 October 2006 to 24 October 2006

Motion:

Moved Cr Fleischfresser seconded Cr Lehmann

That the Mayors report be received

Carried 11/0

13. **GENERAL BUSINESS**

13.1 **Access to Boondooma to Tarong Pipeline for Stock Water**

Background:

Cr Moss noted that the Old Chain Road access point to the Boondooma to Tarong Pipeline had been blocked off

Motion:

Moved Cr Moss seconded Cr Fleischfresser

That Council write to the Minister, Local Member and Department of Natural Resources seeking access to the Tarong Water Supply Pipeline for fire fighting purposes

Carried 11/0

There being no further business the meeting was declared closed

Confirmed before me this day of 2006

MAYOR