

WONDAI SHIRE COUNCIL

**Minutes of the Ordinary Meeting
of the Wondai Shire Council
held on 7 November 2007**

PRESENT:

Councillors: I.D. Carter (Mayor), M.P. Bird, K.A. Duff, P. Fletcher, D.W. Kratzmann (Deputy Mayor), R.G. Mitchell, K.N. Polzin, P.A. Seiler, G.L. Smith and G.A. Boyle.

Council Staff: Mr P.J. O'May (Chief Executive Officer), Mr A.K. Knight (Shire Engineer), Mr G.D. Payne (Manager, Finance & Administrative Services), and Ms A.K. Norris (Environmental Health Officer).

CONFIRMATION OF MINUTES: Moved, Cr M.P. Bird, Seconded, Cr G.A. Boyle that the Minutes of the Ordinary Meeting held on 17 October 2007 be confirmed. Carried (10/0)

FINANCIAL STATEMENTS: Moved, Cr G.A. Boyle, Seconded Cr P. Fletcher that the financial statements be received. Carried (10/0)

PAYMENTS TO CREDITORS: Moved Cr P. Fletcher, Seconded, Cr R.G. Mitchell that the payments to creditors listed in the meeting papers be received. Carried (10/0)

APPLICATIONS FOR GRANTS AND DONATIONS – PROSTON PA & H SOCIETY: Moved, Cr D.W. Kratzmann, Seconded, Cr K.N. Polzin that Council provide a donation of \$550 towards the 50th Annual Show and also provide a prize/donation of one night accommodation (mid-week) in a cabin at Lake Boondooma. Carried (10/0)

APPLICATIONS FOR GRANTS AND DONATIONS – PROSTON LIONS CLUB: Moved Cr P. Fletcher, Seconded, Cr K.A. Duff that Council provide a donation of \$250 to the Proston and District Lions Club, towards the 2007 Community Christmas Carnival. Carried (10/0)

APPLICATIONS FOR GRANTS AND DONATIONS – WONDAI STATE SCHOOL: Moved, Cr K.A. Duff, Seconded Cr P. Fletcher that Council provide use of the Wondai Memorial Hall to Wondai State School for dance classes in term 1 2008 at no cost. Carried (10/0)

REQUEST FOR THIRD DOG – MARILYN REED: Moved, Cr G.L. Smith, Seconded, Cr M.P. Bird that the application Marilyn Reed submitted to keep a third dog at 19 Greenview Road be approved subject to the following conditions:

1. Current registration under S8 *Local Law No. 4 Keeping and Control of Animals* be maintained for all three dogs each year.
2. The approval relates to the current dogs only. Approval for the keeping of a third dog will automatically expire on the passing of one of the dogs.
3. If Council receives a valid nuisance complaint, Council has the authority to cancel the third dog permit and will require them to remove the third dog, immediately.

Carried (8/2)

ENVIRONMENTAL HEALTH OFFICER'S REPORT: Moved, Cr K.A. Duff, Seconded, Cr K.N. Polzin that the Environmental Health Officer's Report be received. Carried (10/0)

REQUEST FOR RATE DISCOUNT – ANDREW CLATWORTHY: Moved, Cr K.A. Duff, Seconded, Cr M.P. Bird that Council advise Andrew Clatworthy that subject to the completion of a signed statutory declaration stating that the original rate notice was not received until after the discount period had closed, his request to reinstate the discount will be allowed, as Council is satisfied circumstances beyond his control prevented payment of the full amount of rates in time to benefit from the discount. Carried (10/0)

WORKS REQUEST STATEMENT: Moved Cr P. Fletcher, Seconded, Cr R.G. Mitchell that the works request statement be received. Carried (10/0)

APPLICATION FOR ADDITIONAL B-DOUBLE ROUTE ON GAYNDAH-HIVESVILLE ROAD – J.C & P. SLACK: Moved, Cr G.L. Smith, Seconded, Cr M.P. Bird that JC and P Slack be advised that Queensland Transport is responsible for approving B-Double routed and that Council would not support an application to approve the Gayndah-Hivesville Road because it is considered that the standard of construction is not suitable for a B-Double combination. Carried (10/0)

ENGINEERS REPORT: Moved, Cr R.G. Mitchell, Seconded Cr P. Fletcher that the Engineers Report be received. Carried (10/0)

DEVELOPMENT APPLICATION – P&U UNDERWOOD - 96 CHELMSFORD ROAD: Moved, Cr M.P. Bird, Seconded, Cr K.N. Polzin that the development application submitted by P&U Underwood for a Duboisia drying shed at Lot 452 on FY174 (96 Chelmsford Road be approved subject to the following conditions.

The term '*approved plan of development*' (or similar) refers to the building plans dated June 2006 prepared by ArchiStructure Environment PTY Ltd labelled as Job no N/DA-090606/6, comprising of 6 sheets in total and Pollution Prevention and Control Plan prepared by Spectrum Natural Products Pty Ltd.

- 1) The subject site is to be generally developed and operated in accordance with the approved plan of development except where amended in accordance with conditions of this approval.

General

- G1. Development of the subject land is to proceed generally in accordance with the following proposal plans prepared by ArchiStructure Environment PTY Ltd labelled as Job no N/DA-090606/6 and dated June 2006—
 - (a) Amended Site Plan (Sheet 2 of 6);
 - (b) Floor Plan (Sheet 3 of 6); and
 - (c) Elevations (Sheet 4 of 6).
- G2. That the drying shed be positioned at least 300m of any adjoining sensitive receptor (e.g. dwelling house or the like).
- G3. The drying shed and associated activities be positioned at least 20m form any road reserve.
- G4. That car parking and service activity areas are screened from adjoining dwellings by landscape planting at least 3m deep.
- G5. Noise shall not exceed 5dBA above the background noise level measured at the external wall any sensitive receptor (e.g. dwelling house or the like).
- G6. The relocation of any infrastructure or services required as a result of this approval, including these conditions, is to be carried out at no cost to Council.

- G7. All services are to be contained within the respective lot.
- G8. All works, including the relocation of services (Telstra, lighting etc.) are to be completed at no cost to Council.
- G9. Dust prevention measures to be undertaken to ensure that dust does not cause a nuisance to occupiers of adjacent premises, during and after construction.
- G10. Odour prevention measures shall be undertaken to ensure that odour does not cause a nuisance to occupiers of adjacent premises.
- G11. That operating hours generally shall be restricted to between 6am to 7pm, Monday to Saturday. In this regard however, operating hours are permitted between 5am to 9pm for no more than ten (10) days per financial year and provided that no nuisance is created to adjoining properties.
- G12. The site is to be maintained in a clean and orderly state at all times.

Landscaping

- MCU1. The perimeter of the drying shed and vehicle movement areas is to be landscaped in accordance with Planning Scheme Policy No. 5 – Landscaping. A detailed landscaping plan prepared in accordance with Planning Scheme Policy No.5—Landscaping is to be submitted and approved by Council prior to commencement of construction.

Lighting

- MCU2. Lighting used to illuminate any areas of the premises is to be angled or shaded in such a manner so that light does not directly illuminate any nearby premises or roadways.

Car Parking

- MCU3. The car parking area and internal driveway is to be constructed, drained and surfaced with compacted gravel or similar to minimise dust emissions, erosion and sediment run-off. The construction and design is to be to the satisfaction of the Chief Executive Officer or his delegate.

Access

- ENG1. Construct a 450mm diameter piped crossover through the swale drain with headwalls to the property alignment with Schedule 2 of Table S2.7 of the Planning Scheme.
- ENG2. That access to the drying shed be positioned at least 200m from the sharp bend in Chelmsford Road.

Stormwater

- ENG3. Stormwater drainage is to be designed such that no restriction to existing or developed stormwater flow from upstream properties or ponding of stormwater within upstream properties occurs as a result of the development.
- ENG4. All stormwater collected from the site including roof water and all impervious areas are to be piped to a legal point of discharge to the street. Such works are to be sized and constructed as determined by detailed design.

Construction

- ENG5. During the construction phase, install and maintain silt management facilities until the building works and operational works are completed and the site is turfed and landscaped.

Council's advice to the applicant

- ADV1 Section 3.5.21 of The Integrated Planning Act 1997 provides that, if this approval is not acted upon within a period of four years the approval will lapse. Note that in

accordance with section 3.5.21(4) a related approval may extend the relevant (currency) period.

ADV2 All conditions, the subject of this approval, must be complied with prior to the Council's endorsement of the plan of subdivision, unless satisfactory security is given to the Council to ensure compliance with the conditions.

ADV3 This development approval does not authorise any activity that may harm Aboriginal cultural heritage. Under the Aboriginal Cultural Heritage Act 2003 you have a duty of care in relation to such heritage. Section 23(1) provides that "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage." Council does not warrant that the approved development avoids affecting Aboriginal cultural heritage. It may therefore be prudent for you to carry out searches, consultation, or a cultural heritage assessment to ascertain the presence or otherwise of Aboriginal cultural heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding.

Carried (10/0)

DEVELOPMENT APPLICATION: - QLD SURVEY PEGS PTY LTD: Moved, Cr D.W. Kratzmann, Seconded Cr P. Fletcher that Qld Survey Pegs Pty Ltd be advised that condition of approval no. 1 relating to the boundary realignment between Lot 23 on SP176656 and Lot 30 on SP186437 is to remain, and that condition no. 2 is to be removed. Carried (10/0).

DEVELOPMENT APPLICATION: - J GUY – 123 HALY STREET Lot 27 on RP27223: Moved, Cr G.L. Smith, Seconded, Cr P.A. Seiler that Council approve of the application by J Guy to subdivide Lot 27 on RP27223 into two lots in accordance with proposal plan 07614-1 subject to the following conditions:

1. Roadworks: Access to each lot is to be constructed in accordance with Schedule 2 Division 2 of the Planning Scheme to be via a bitumen seal service road with single access to the Bunya Highway.
2. Sewerage: Evidence is to be provided that a dwelling constructed on each lot could be connected into the existing sewer reticulation system in accordance with Clause 452 of the Water Act. This will require an extension to the existing reticulation system at the rear of the lots, to the standard of service shown in Schedule 2 Division 3 of the Planning Scheme.
3. Electricity: Each lot is to be serviced with reticulated electricity to the applicable standards shown in Schedule 2 Division 5 of the Planning Scheme.
4. Telecommunication Services: Each lot is to be serviced with telecommunication services to the applicable standards of service shown in Schedule 2 Division 5 of the Planning Scheme.
5. Infrastructure Works: The applicant is to carry out at his/her expense and to the satisfaction of Council the construction of property accesses and all other infrastructure works required to comply with these conditions of approval.

6. Infrastructure Contributions: The payment of appropriate infrastructure contributions as determined in accordance with the provision of Planning scheme Policy No. 7 – Infrastructure Provisions, which are:

Water Supply Infrastructure Contribution: \$1497

Sewerage Infrastructure Contribution: \$2647

Public Parks Infrastructure Contribution: \$500

Carried (10/0)

DEVELOPMENT APPLICATION: - K R AND J COPEMAN – Lots 123 and 124 on CP W53512: Moved, Cr I.D. Carter, Seconded, Cr G.L. Smith that Compass Town Planning be advised that condition of approval No.1 relating to the realignment of the boundary between Lots 123 and 124 on C.P W53512 is to remain, and that condition No. 8 is to be removed.

Carried (10/0)

MEMBERS BUSINESS:

Cr D.W. Kratzmann Moved, Cr D.W. Kratzmann, Seconded, Cr G.L. Smith that the Engineer present a report at Council's next meeting on High Street, Tingoorra with regard to property access, street addressing, issues relating to access to the Bunya Highway and other relevant safety issues. Carried (10/0)

Cr M.P. Bird Moved, Cr M.P. Bird, Seconded, Cr K.N. Polzin that Council liaise with Queensland Health staff to determine the most appropriate directional street signage to the redeveloped Wondai hospital and aged care facility.

Carried (10/0)

Cr K.A. Duff Moved, Cr K.A. Duff, Seconded, Cr G.A. Boyle that appropriate maintenance be undertaken on the picket fence at Wondai Cemetery.

Carried (10/0)

CORRESPONDENCE:

SHOW HOLIDAY 2008 - MINISTER FOR TRANSPORT, TRADE, EMPLOYMENT AND INDUSTRIAL RELATIONS: Moved, Cr G.L. Smith, Seconded, Cr M.P. Bird that a request be made to the Department of Employment and Industrial Relations to have Monday 11th August 2008 appointed as a Show Holiday for the Brisbane Exhibition. Carried (10/0)

REQUEST FOR REFUND HORSE IMPOUNDMENT FEES – M TREZISE: Moved, Cr D.W. Kratzmann, Seconded, Cr K.A. Duff that Council refund the impoundment fees charged for the recent release of Mr Trezise's horse. Carried (10/0)

HOTEL CECIL – REQUEST FOR FOOTPATH CLOSURE CHRISTMAS EVE: Moved, Cr M.P. Bird, Seconded Cr P. Fletcher that Council advise Jim Thacker that it has no objection to the closure of the footpath directly in front of the Hotel Cecil during the Christmas Eve Carnival from 5pm to 12pm, subject to police and liquor licensing approval. Carried (10/0)

NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT: Moved, Cr R.G. Mitchell, Seconded, Cr G.L. Smith that Cr Kratzmann be authorised to attend the National General Assembly of Local Government from the 26-29 November 2007.

Carried (10/0).

LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND – ELECTED MEMBER

REMUNERATION: Moved, Cr D.W. Kratzmann, Seconded Cr P. Fletcher that Council provide a submission to the Local Government Remuneration Tribunal endorsing the LGAQ’s Elected Member Remuneration submission. Carried (10/0)

LOCAL GOVERNMENT REMUNERATION TRIBUNAL: Moved, Cr D.W. Kratzmann, Seconded, Cr G.L. Smith that the Mayor be authorised to attend the Local Government Remuneration Tribunal meeting in Brisbane on 12th November 2007. Carried (10/0)

Confirmed this 28th day of November 2007.

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I.D. Carter
MAYOR

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P.J. O’May
CHIEF EXECUTIVE OFFICER