

**Minutes of the Ordinary Meeting
of the Wondai Shire Council
held on 5 March 2008**

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: Ms E.M. Sharpe (Acting Chief Executive Officer), Ms A.K. Norris (Environmental Health Officer) and Mr G.L. Reinhart (Management Consultant).

Moved, Cr I.D. Carter, Seconded, Cr D.W. Kratzmann for a motion of recognition for the work and dedication of past and present Councillors and Staff, Shire organisations and the community in the development of Wondai Shire since 1910, which has lead to the residents of this great Shire enjoying a wonderful lifestyle, supported by excellent facilities. Carried (10/0)

CONFIRMATION OF MINUTES: Moved, Cr M.P. Bird, Seconded, Cr D.W. Kratzmann that the Minutes of the Ordinary Meeting held on 13 February 2008 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 R.G. Mitchell, Seconded, Cr M.P. Bird that the payments to creditors listed in the meeting papers be received. Carried (10/0)

APPLICATIONS FOR GRANTS AND DONATIONS - MANDOG RETREAT - TINNY RALLY: Moved Cr P. Fletcher, Seconded, Cr K.A. Duff that Council provides star pickets, stop sign, barrier netting, witches hats, rubbish drums and firewood at no charge for the Tinny Rally Weekend to be held from 8-10 August 2008. Carried (10/0)

APPLICATIONS FOR GRANTS AND DONATIONS - PROSTON SHOW SOCIETY: Moved, Cr D.W. Kratzmann, Seconded, Cr K.A. Duff that Council provide 100 chairs at no cost to the Proston PA & H Society for the 50th Annual Show to be held on 8 March 2008. Carried (10/0)

APPLICATIONS FOR GRANTS AND DONATIONS - RESERVE FORCES DAY: Moved Cr P. Fletcher, Seconded, Cr R.G. Mitchell that Council provide staff to assist in the road closure and placement of chairs and tables for 2008 Reserve Forces Day to be held on Sunday 8 July 2008 and that Council advise the committee that the hall will be available if it is not booked for a paying function, that the PA system will be available if Allan Schulz participates with the town band and that due to the businesses that operate on the Southern side of Mackenzie Street on a Sunday, that witches hats will be placed on the northern side of Mackenzie Street only. Carried (10/0)

REQUEST FOR FOUR DOGS - ROBYN WHITE: Moved, Cr D.W. Kratzmann, Seconded, Cr K.N. Polzin that Ms White is informed that under Council's Local Law No. 4 Keeping of Animals she is only allowed to keep three dogs with a permit and that four dogs are not

permitted on a township property and that Council advises Ms White that Council will grant a third dog permit for 10 Nelson Street, Proston 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.
2. The approval relates to the current dogs only. Approval for the keeping of a third dog will expire after the passing of one of the dogs.
3. If Council receives a valid nuisance complaint, Council has authority to cancel the third dog permit and will require removal of the third dog immediately.

Carried (10/0)

KERBSIDE RUBBISH COLLECTION - REMOVAL OF TREES - MCCORD STREET: Moved, Cr M.P. Bird, Seconded Cr P. Fletcher that Council inform Ms Gustafson that Council has not approved the removal of the two white cedar trees from the footpath area out the front of 19 McCord Street, Wondai. Carried (9/1)

ENVIRONMENTAL HEALTH OFFICER'S REPORT: Moved, Cr P.A. Seiler, Seconded, Cr G.L. Smith that the Environmental Health Officer's Report be received. Carried (10/0)

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

DEVELOPMENT APPLICATION - JH & CA GLEICH - LOT 2 ON RP119684: Moved, Cr D.W. Kratzmann, Seconded Cr P. Fletcher that Council approve the application by JH & CA Gleich for a 999 SCU feedlot on Lot 2 RP119684 subject to the following conditions:

General

- (1) The subject site is to be developed in accordance with the approved plan of development except where amended in accordance with conditions of this approval.
- (2) A maximum of 999 standard cattle units or lesser number nominated by Department of Primary Industries & Fisheries are to be accommodated within the cattle feedlot.
- (3) Dust prevention measures are to be undertaken to ensure that dust does not cause a nuisance to occupiers of adjacent premises, during and after construction.
- (4) Protect and maintain all significant existing vegetation unless situated in a location approved for building or other works.
- (5) The position of buildings, structures, feedlot pens, stockpiling and composting, on-site effluent treatment and the like shall comply the Wondai Shire Council IPA Planning Scheme Part 4.11 – Animal Keeping and Intensive Animal Husbandry Code.
- (6) Prior to the commencement of the use, the applicant is to carry out the works shown on the approved drawings.
- (7) Repair any road pavement, stormwater channelling, services, utility mains or installations (ascertaining locations prior to construction) if damaged as a result of development works to Council standards.
- (8) Maintain the development components including the buildings, structures and vehicle manoeuvring areas in appropriate order, keeping the site in a reasonable state (safe, healthy, tidy).

- (9) The use is to be operated to prevent any nuisance from lighting (if artificial lighting is used), glare, emissions, transport of potential pollutants or other detrimental impacts.
- (10) Pests including wild dogs and feral animals be managed and excluded from food storage and animal disposal areas.
- (11) That a copy of Environmental Management Plan (EMP) presented to the delegate of the administering authority be submitted to Council.

Site access and manoeuvring areas

- (12) All vehicles transporting goods, materials, produce, or supplies to or from the site are to have their load fully contained to prevent the spillage or release of any material on a road reserve.
- (13) All areas on which vehicles are to be driven or parked are to be constructed and maintained so as to minimise erosion and the release of dust or sediment-laden stormwater runoff from the site. An all weather gravel surface is an acceptable standard.
- (14) All loading and unloading is to occur on-site, with all vehicles entering and leaving the site in a forward direction.
- (15) Access to the site from Middle Road and Back Road is to be constructed to a standard to meet the specific outcomes specified in Section O5 of the Wondai Shire Council IPA Planning Scheme Part 4.11 – Animal Keeping and Intensive Animal Husbandry Code and in accordance with the estimates of costs provided in the Meeting Papers dated 5 March 2008. In this regard, the applicant contributes \$25,000 towards the costs associated with access from Middle Road and Back Road to the feedlot.

Water Supply, Wastewater System and Stormwater Drainage

- (16) Provide the site with an appropriate water supply for the entire feedlot, exiting uses and fire fighting purposes.
- (17) Provide an appropriate liquid and solid waste disposal system that accords with the standards and requirements of Council's systems and any State legislation or policies.
- (18) Appropriately drain the site to deal effectively with stormwater flows without detrimental impacts on upstream or downstream properties and minimising the release of contaminants into waterways.

Conditions imposed by Department of Primary Industries & Fisheries as a Concurrence Agency as per their approval dated 7 August 2007.

Carried (8/2)

PLANNING APPLICATION - MATERIAL CHANGE OF USE - WEIR ROAD PROSTON (LOT 33 ON B0439) - DALE MURRAY: Moved, Cr I.D. Carter, Seconded Cr P. Fletcher that Council advise Mr Dale Murray that Council will waive 25% of the planning application fees for his application for a Material Change of Use (gravel pit) on Lot 33 on BO439. Carried (10/0)

PLANNING APPLICATION - MATERIAL CHANGE OF USE - FRANCISCA HUTTON:

Moved, Cr R.G. Mitchell, Seconded, Cr M.P. Bird that Council as Assessment Manager decide the application under section 3.5.11 of the Integrated Planning Act 1997 by approving it subject to the following conditions; and that

Council notify the applicant and referral agencies:

- 1) The subject site is to be developed in accordance with submitted drawings except where amended in accordance with conditions of this approval - referred to in this approval as the 'approved plan of development'.
- 2) The relocation or installation 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.
- 3) The building extension is separated from the eastern boundary for a minimum distance of three metres (3m).
- 4) Provide and maintain a 1.8m high screen fence reducing to 1.2m within 6m of the road boundary and the eastern and rear boundaries to screen the development from neighbouring land uses.
- 5) Provide and maintain a landscaped buffer having a depth of 1.5m along the eastern and rear boundaries. Landscaping shall be planted with shrubs having a range between 2m and 3m in height.
- 6) Windows along the eastern elevation of the building extension are to have a minimum sill height of 1.5m above ground level.
- 7) Building services such as air-conditioning units are to be positioned to the rear of the building and screen from neighbouring dwellings.
- 8) All waste is to be stored on-site within a screened area and removed to an approved waste disposal facility by an approved transporter.
- 9) External wall articulations created between the new and existing buildings shall be painted or finished with a contrasting colour.
- 10) External walls of the building extension shall be finished with non-reflective materials or colours.
- 11) All artificial illumination is to be designed and installed so as not to cause a nuisance to occupants of nearby premises and any passing traffic. Security and flood lighting is to be directed away from adjacent premises and any passing traffic. Security and flood lighting is to be directed away from adjacent premises to minimise the protrusion of light outside the site.
- 12) Operations are restricted to a maximum of forty (40) hours per week. The maximum hours of operation are to occur between 8.30am to 6.00pm Monday to Friday, 6pm to 9pm Tuesday and Thursday and 9am to 5pm on weekends and public holidays.
- 13) Prior to the commencement of use, provide two (2) off-street car parking spaces, one of which is to be suitable for disabled parking. These car parks and traffic movement areas shall be a mud-free and dust-free surface.
- 14) Vehicle crossover associated with car parking and vehicular access is to be provided in accordance with Schedule 2 of the Wondai Shire Council IPA Planning Scheme.
- 15) All stormwater collected from the site including roof water is to be piped to a legal point of discharge at the street kerb and channel (includes rainwater tanks).

- 16) Any advertising devices shall comply with Schedule 4 of the Wondai Shire Council IPA Planning Scheme.

Carried (10/0)

DEVELOPMENT APPLICATION - KEN LINES - LOT 42 ON RP57676 JELLIECOE STREET, PROSTON: Moved, Cr K.A. Duff, Seconded, Cr K.N. Polzin that Council approve the application by Ken Lines on Lot 42 RP57676 under section 3.5.11 of the *Integrated Planning Act 1997* subject to the following conditions:

- 1) The subject site is to be developed in accordance with the submitted plans.
- 2) External walls of the building shall be finished with non-reflective materials or colours.
- 3) The building shall not be used for habitable purposes or exhibit signs of habitation including satellite dishes, television aerials or clothes lines.
- 4) All stormwater collected from the site including roof water is to be piped to a legal point of discharge at the street kerb and channel (includes rainwater tanks).
- 5) Any new earthworks or structures are not to concentrate or impede the natural flow or water across property boundaries and onto any other lots.
- 6) Vehicle crossovers associated with access to the outbuilding shall comply with Schedule 2 of the Wondai Shire Council IPA Planning Scheme.

Carried (10/0)

PLANNING APPLICATION - DEVELOPMENT APPLICATION - BILL NAUTA - 49 SCOTT STREET, WONDAL: Moved, Cr D.W. Kratzmann, Seconded Cr P. Fletcher that Council approve the application under section 3.5.11 of the *Integrated Planning Act 1997* subject to the following conditions:

1. The subject site is to be developed in accordance with the approved plans of development submitted with the application, titled 'Job Nauta', and shed design Sheet 1/1 prepared by The Shed Company dated 2/2/08.
2. External walls of the building shall be finished with non-reflective materials or colours sympathetic to the existing dwelling.
3. No windows or openings other than those illustrated on the submitted drawings shall be provided.
4. All artificial illumination is to be designed and installed so as not to cause a nuisance to occupants or nearby premises and any passing traffic. Security and flood lighting is to be directed away from adjacent premises to minimise the protrusion of light outside the site.
5. Vehicle crossovers associated with access to the outbuilding shall comply with Schedule 2 of the Wondai Shire Council IPA Planning Scheme.
6. Provide and maintain a 1.8m high screen fence reducing to 1.2m within 6m of the road boundary along the western and southern boundaries to screen the development from neighbouring land uses.
7. Provide and maintain a 1.2m high screen fence along the road boundary truncated at the corner in accordance with Part MP1.2 of the Queensland Development Code.
8. Provide and maintain a landscaped buffer having a minimum depth of 1.0m along the western and southern boundaries. Landscaping shall be planted with shrubs having a range between 2m and 3m in height.
9. Provide and maintain a landscaped buffer having a minimum depth of 1.5m along the Scott Street boundary for a length of 10m commencing at the south-east corner. Landscaping shall be planted having a range between 1m and 3m.

10. All stormwater collected from the site including roof water is to be piped to a legal point of discharge at the street kerb and channel (includes rainwater tanks).
11. Any new earthworks or structures are not to concentrate or impede the natural flow of water across property boundaries and onto any other lots.
12. No business, commercial or industrial activity shall be carried out from the subject site unless defined as Home occupation in the Wondai IPA Planning Scheme.

Carried (10/0)

REQUEST FOR PRELIMINARY DECISION - REMOVAL DWELLING - MR DAVID GUY 123 HALY STREET, WONDAI: Moved, Cr D.W. Kratzmann, Seconded Cr P. Fletcher that D. Guy be advised that council would grant approval to a properly made application for development approval to relocate a dwelling to the proposed new Lot 3 upon registration of the plan of subdivision of existing Lot 27 on RP27223 at 123 Haly Street under the following conditions: -

1. Compliance with Council's procedures for re-erection of buildings within the Shire.
2. Compliance with all relevant statutory requirements (Building Code of Australia; Plumbing and Drainage Act; Building Services Authority Act; Wondai Shire Planning Scheme).
3. Payment of a bond of an amount of \$15000, which will not be released until all conditions of development approval have been met.

Carried (10/0)

WORKS REQUEST STATEMENT: Moved, Cr K.A. Duff, Seconded, Cr K.N. Polzin that the works request statement be received. Carried (10/0)

ROAD CONSTRUCTION AND MAINTENANCE REPORT: Moved, Cr M.P. Bird, Seconded, Cr K.N. Polzin that the Road Construction and Maintenance Report be received. Carried (10/0)

BA & EE HUNTER - TWO LOT SUBDIVISION AND EASEMENT: Moved, Cr I.D. Carter, Seconded, Cr G.L. Smith that Council advise Mr and Mrs Hunter that following their verbal response to the letter dated 18 February 2008, if they agree to the registration of the easement on proposed Lot 2 on SP207092, Council will issue a negotiated decision notice withdrawing the charges for public park infrastructure contribution of \$500 and road infrastructure contribution of \$3,000 as shown in conditions 6 of the decision notice for the subdivision of Lot 2 on W53511. Carried (10/0)

LEASE OF LAND AT CEMETERY FOR CREMATORIUM - KINGAROY FUNERAL SERVICES: Moved, Cr M.P. Bird, Seconded, Cr K.N. Polzin that Council advise Kingaroy Funeral Services that Council will approach the Minister for Natural Resources and Water to seek advice on options for Council to lease a portion of the cemetery reserve for the establishment of a crematorium and also advise that if successful, an open 'Expression of Interest' would be called to enable all interested businesses equal opportunity to secure any lease option for a crematorium. Carried (10/0)

RECOVERY OF RATES BY SALE OF LAND - ICW & PK SNEDDON: Moved Cr P. Fletcher, Seconded, Cr P.A. Seiler that in accordance with Section 1043 of the Local Government Act 1993 the Council proceed with the issue of final notice for the sale of the following property for the arrears of rates and that a public auction to sell the land be held at the Wondai Memorial Hall,

Cnr Scott and Mackenzie Streets, Wondai on 22 April 2008, commencing at 11:00am, and the reserve be set as the unimproved valuation.

Ass. No.	Owners	Property Address	Property Description	Area	Unimproved Valuation	Rates & other charges owing as at 29 Feb 2008
02390-	ICW & PK Sneddon	88 Rankins Road Brigooda	Lot 1 on Registered Plan 117547	1318m ²	\$7000	\$1854.10

Carried (10/0)

APPROVAL OF SURVEY PLAN SP212971 - WONDAI INDUSTRIAL ESTATE: Moved, Cr K.N. Polzin, Seconded, Cr M.P. Bird that Survey Plan SP212971, Parish of McEuen be approved and that the Mayor and Acting Chief Executive Officer sign and seal the plan. Carried (10/0)

APPROVAL OF SURVEY PLAN SP176656 - BURROWS STREET, WONDAI: Moved Cr P. Fletcher, Seconded, Cr K.N. Polzin that Survey Plan SP176656, Parish of McEuen be approved and that the Mayor and Acting Chief Executive Officer sign and seal the plan. Carried (10/0)

DEVELOPMENT OF COUNCIL LAND - PRING STREET, WONDAI: Moved, Cr I.D. Carter, Seconded, Cr K.A. Duff that the Acting Chief Executive Officer negotiate with Mr Liehr and the owners of Lots 27 and 28 on the progressive development of land in Pring Street, Wondai to include Lots 24 and 43, with initial Council costs to be funded from the future residential land reserve and paid back into the reserve once the land is developed and sold and for any profit to be used to undertake drainage works on the corner of Pring and Moreton Streets, Wondai. Carried (10/0)

REGIONAL ARTS DEVELOPMENT FUND: Moved, Cr I.D. Carter, Seconded, Cr K.A. Duff that the Acting Chief Executive Officer be delegated the authority to approve RADF applications as recommended by the RADF Committee. Carried (10/0)

GARY HIETTE - WATER CONNECTION PROSTON RURAL WATER SCHEME: Moved, Cr I.D. Carter, Seconded Cr P. Fletcher that Council advise Mr Hiette that a connection to Lot 341 on FY61 has been approved subject to the following conditions:

- All connection costs are to be borne by Mr Hiette, and
- Water flow may be limited to 4.5 litres per minute depending on demand, and
- The water is for stock purposes only and is not provided for domestic purposes, and
- Mr Hiette must have onsite water storage to cover at least 3 days average usage.

Carried (10/0)

SPECIAL LEASE 33/50643 - STATE FOREST RESERVE - WONDAI: Moved Cr P. Fletcher, Seconded, Cr M.P. Bird that Council advise the Department of Natural Resources and Water that it has no objections to the renewal of Special Lease 33/50643 which is currently a State Forest Reserve. Carried (10/0)

SPECIAL LEASE 34/42312 - SCOUTS ASSOCIATION - MCCORD STREET, WONDAI: Moved, Cr D.W. Kratzmann, Seconded, Cr K.A. Duff that Council advise the Department of Natural Resources and Water that it has no objections to the renewal of Special Lease 33/42312 which is located in McCord Street and used by the Scouts Association. Carried (10/0)

DEPARTMENT OF NATURAL RESOURCES AND WATER - PURCHASE OF UNALLOCATED STATE LAND IN PROSTON BY RJ & MA DANSON: Moved, Cr D.W.

Kratzmann, Seconded, Cr I.D. Carter that Council advise the Department of Natural Resources and Water that Council has serious concerns about the sale of Lot 10 USL47178 as there is no separate road access and is subject to water inundation. Further Council considers that the land would be best utilised by including it in adjoining reserves. Carried (10/0)

BARRA & BASSTASTIC FISHING TOURNAMENT - BOONDOOMA DAM: Moved, Cr G.L. Smith, Seconded, Cr K.A. Duff that the "Barra & Basstastic" Fishing Tournament to be held at Lake Boondooma on the 3rd to 4th May 2008 be approved subject to the following conditions:

- The areas utilised during the event and the waters of the storage adjacent thereto must be left in a clean and tidy condition acceptable to the Manager of Lake Boondooma Camping and Recreation Area.
- The organising committee shall indemnify the Wondai Shire Council and/or employees of the Wondai Shire Council from any liability whatsoever arising from all activities by participants or patrons associated with the event.
 - (a) The indemnity will include any claims arising as a result of a Blue Green Algae bloom either of a health nature caused by contact or by impact on the timing, success or expenditure incurred in organising or running the event.
 - (b) SunWater does have a Blue Green Algae monitoring program and the dam algae level must be obtained from the operation supervisor at Boondooma Dam 41689133 prior to the event. Any restrictions imposed may relate to contact activities.
- All competitors must be advised of the blue green algae level in Boondooma Dam.
- Public Liability insurance for the amount of \$10,000,000.00 must be current. The Wondai Shire Council is to be named as having an interest on the Policy, with a copy of the Policy provided to Council prior to the event.

Carried (10/0)

MEMBERS BUSINESS:

Cr K.N. Polzin Moved, Cr K.N. Polzin, Seconded Cr P. Fletcher that Council reinstate the driveway access to 1094 Wondai Proston Road. Carried (10/0)

Moved, Cr K.N. Polzin, Seconded Cr P. Fletcher that Council investigate drainage issues on Tingoora Chelmsford Road 400 metres down from the Wondai Proston Road. Carried (10/0)

Cr K.A. Duff Moved, Cr K.A. Duff, Seconded Cr P. Fletcher that Council investigate and provide a report on the renaming of Broad Creek Road to Lawsons Broad Creek Road. Carried (10/0)

Moved, Cr K.A. Duff, Seconded, Cr K.N. Polzin that Council investigate the blind spot and washout areas on the southern end of Mt McEuen Road approximately 3 kms from the Wondai Proston Road. Carried (10/0)

Cr I.D. Carter

Moved, Cr I.D. Carter, Seconded, Cr G.L. Smith that Council provide 2m of soil for the footpath at 6 Cadell Street to be funded from Wondai Streets Road Maintenance budget. Carried (10/0)

Moved, Cr I.D. Carter, Seconded Cr P. Fletcher that Council negotiate with Anne Kinsella to acquire land that is a drainage issue on Lot 1 W53513. Carried (10/0)

Confirmed this

day of

2008.

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Shane Gray
A/CHIEF EXECUTIVE OFFICER
South Burnett Regional Council