

# **GATTON SHIRE COUNCIL**

**ORDINARY MEETING      19 DECEMBER 2007**

## **CONFIRMED MINUTES OF MEETING**

### **ATTENDEES**

Mayor:	Cr SJ Jones
Division One:	Cr MF Brennan, Cr GL Logan, Cr PJ O'Brien, Cr JE Bennett
Division Two:	Cr DR Neuendorf, Cr Warburton
Division Three:	Cr JM Holstein, Cr CD Macdonald

Please find attached the Confirmed Minutes of the Ordinary Meeting of the Gatton Shire Council held in the Council Chamber, Corner North and Railway Streets, Gatton on Wednesday 19 December 2007.

Derek Sellers  
ACTING CHIEF EXECUTIVE OFFICER

# Ordinary Meeting Confirmed Minutes

19 December 2007

## TABLE OF CONTENTS

<i>ITEM NO.</i>	<i>SUBJECT</i>	<i>PAGE NO.</i>
	MAYOR OPENS PROCEEDINGS	1
	OPENING PRAYER/CONDOLENCES	1
	ADOPTION OF MINUTES OF PREVIOUS MEETING	1
	LATE ITEMS	2
LI1	Request from Laidley Shire Council	2
	RECEIPT OF LATE ITEMS	2
LI2	Proposed Closure of Gatton Clifton Road to Heavy Transport	2
	PLANNING AND ENVIRONMENT	3
P&E8	DA5112 Lockyer Drafting Designs (Tervic) Addendum Report	3
	GUESTS	3
G1	Department of Corrective Services	4
	PUBLIC QUESTION TIME	4
G2	Integran: Priority Planning Infrastructure Plan	4
LI3	Murphys Creek Water Supply – Provision of Pipes	5
LI4	Request for Negotiated Decision DA5042	5
LI5	Additional Slasher Drivers	5
	ENGINEERING SERVICES	7
ES1	Railway Street and Cochrane Street Intersection – Traffic Safety Investigation	7
	BUILDING SERVICES	7
BS4	Request for Boundary Relaxation for Mr WJ and Mrs LC Henning at Lot 19 SP181312, 45 Highview Avenue, Gatton	7
BS5	Request for Boundary Relaxation for Ms EM Zischke at Lot 11 SP172571, 11/27 Princess Street, Gatton	9
P&E6	Request for Reduced Lot Sizes for DA4762, Lockyer Designs (Costello), 1043 Murphys Creek Road, Murphys Creek	11
P&E7	Unapproved Poultry Farm Located at 54 Helidon Dip Road, Helidon	11
	COMMUNITY SERVICES	12
CS2	Ma Ma Creek/Tenthill Television Black Spot	12
G3	Cahill Park Sport Complex	12
CS3	Application to keep 3 dogs at 9 Airforce Road, Helidon	12
P&E9	Request for In Principle Support for Changes to the Royal Hotel and Natural Resources Carpark	14
	LOCKYER VALLEY REGIONAL COUNCIL	14
LVRC10	ALGA Conference November/December 07	14
LI6	Council Closed Forum and Council Passenger and Commercial Vehicles	15
	CLOSED FORUM	15
	OPEN FORUM	15
	CLOSURE	15

## **CONFIRMED MINUTES**

Confirmed Minutes of the Ordinary Meeting of the Gatton Shire Council held in the Council Chamber on Wednesday 19 December 2007, commencing at 8.34am.

### **ATTENDEES**

Cr SJ Jones (Mayor), Cr JM Holstein, Cr GL Logan, Cr MF Brennan, Cr JE Bennett, Cr PJ O'Brien, Cr CD Macdonald, Cr MC Warburton and Cr Neuendorf.

### **IN ATTENDANCE**

Acting Chief Executive Officer (D Sellers), Interim Chief Executive Officer LVRC (CA O'Connor), Director Community Services (BE Domrow), Director Engineering Services (HJ Karl), Manager Roads Infrastructure (DC Lee), Manager Planning and Environment (T Ryan) and Minute Secretary (JA Pascoe).

### **MAYOR OPENS PROCEEDINGS**

Cr SJ Jones opened the meeting.

Cr Warburton was absent from the meeting at commencement.

### **OPENING PRAYER/CONDOLENCES**

A vote of sympathy to the relatives of the following was recorded by a short silence and Cr Holstein said the Opening Prayer.

The late James Alfred Pryde.  
The late Ethel 'Margaret' Atkinson.

### **ADOPTION OF MINUTES OF PREVIOUS MEETING**

**Moved by Cr Macdonald, seconded by Cr Holstein that the Minutes of the Ordinary Meeting held on 5 December 2007 be taken as read and confirmed.**

**CARRIED 8/0**

## **LATE ITEMS**

**LI1.071219**

**FILE NUMBER – 1.1/20/17 & 245324**

### **REQUEST FROM LAIDLEY SHIRE COUNCIL**

Moved by Cr Holstein, seconded by Cr Macdonald that Council supplies the information as requested by Laidley Shire Council and in addition they be requested to provide the same information in return.

**LOST 5/3**

Moved by Cr Neuendorf, seconded by Cr O'Brien that Council supplies a copy of Gatton Shire Council's Annual Report and Budget 06/07 to Laidley Shire Council.

**CARRIED 8/0**

### **RECEIPT OF LATE ITEMS FOR DISCUSSION LATER IN THE MEETING**

- Staff Matter – to be held in Closed Forum

The Manager Planning and Environment left the meeting briefly at this juncture and returned with the Cadet Planning Officer, Ms Tanya Herberich.

### **FILE TWO COMMENCED DURING LI2**

**LI2.071219**

**FILE NUMBER – 2.14/1/1**

### **PROPOSED CLOSURE OF GATTON CLIFTON ROAD TO HEAVY TRANSPORT**

Moved by Cr Jones, seconded by Cr Bennett that Council write to the Minister and the Director General of Main Roads requesting that bypass roads be installed whilst the bridges of concern on Gatton Clifton Road are upgraded to enable heavy transport to traverse.

**CARRIED 8/0**

Cr Warburton attended the Meeting during P&E8.

## **PLANNING AND ENVIRONMENT**

### **FILE THREE COMMENCED DURING P&E8**

Cr Neuendorf; and Cr Holstein left the meeting briefly during P&E8.

#### **P&E8.071219**

**FILE NUMBER - R1150-7/DA5112**

#### **DA5112 LOCKYER DRAFTING DESIGNS (TERVIC) – ADDENDUM REPORT**

Moved by Cr Logan, seconded by Cr Holstein that Council investigate the existence of a storm water pipe in the vicinity of Woodlands Road, Gatton, via the use of a backhoe, if an agreeable resident can be found.

**CARRIED 9/0**

Moved by Cr O'Brien, seconded by Cr Neuendorf that Council refuse the Development Application for Material Change of Use for 3 Accommodation Units on land described as Lot 18 RP853306, Parish of Gatton, situated at 147 Woodlands Road, Gatton for the following reasons:

#### **Amenity**

- The proposed building form conflicts with the existing dwellings in the locality;
- Size and orientation of the proposed building imposes on the privacy of the surrounding dwellings; and

#### **Stormwater**

- the proposed development adversely affects the stormwater drainage in the locality.

**CARRIED 6/3**

The Cadet Planning Officer left the Meeting at this juncture.

### **FILES FOUR AND FIVE COMMENCED DURING G1**

#### **GUESTS**

The Manager Planning and Environment; Cr O'Brien; Cr Macdonald; Cr Jones and the Interim Chief Executive Officer left the meeting briefly during G1.

**G1.071219**

**FILE NUMBER – 1.1/1/21**

**DEPARTMENT OF CORRECTIVE SERVICES**

Mr John Forster and Mr Neil Whittaker from the Department of Corrective Services addressed the Council in regard to the new Correctional Centre.

At this juncture the meeting adjourned for Morning Tea and resumed at 10.41am.

Cr Warburton and Cr Macdonald were absent at the recommencement of the meeting.

**FILE SIX COMMENCED**

**PUBLIC QUESTION TIME**

No Public Question Time submissions were received.

Cr Warburton and Cr Macdonald returned to the meeting during G2.

The Director Community Services; and Cr Neuendorf left the meeting briefly during G2.

**FILE SEVEN COMMENCED DURING G2**

**G2.071219**

**FILE NUMBER – 8.3/1/1**

**INTEGRAN: PRIORITY PLANNING INFRASTRUCTURE PLAN**

Mr Jason Natoli and Mr Neville Crook from Integran addressed the Council in regard to the Priority Planning Infrastructure Plan.

**LI3.071219**

**FILE NUMBER – 3.5/15/1**

**MURPHYS CREEK WATER SUPPLY – PROVISION OF PIPES**

**Director Engineering Services's Report**

Moved by Cr Holstein, seconded by Cr Macdonald that the lowest conforming tender of Tyco Water Pty Ltd to supply 9330 metres of 150mm diameter uPVC pipe is accepted.

**CARRIED 9/0**

**FILE EIGHT COMMENCED DURING LI4**

**LI4.071218**

**FILE NUMBER – R2334-0 & DA5042**

**REQUEST FOR NEGOTIATED DECISION DA5042**

**Manager Roads Infrastructure's Report**

Moved by Cr Warburton, seconded by Cr Logan that Council varies the Conditions applied to the Development Application Decision Notice issued 23 July 2007 in relation to Development Application 5042 to delete Condition S1 (Point 4) and to retain Condition A11, relating to kerb and channelling.

**CARRIED 7/2**

Cr Brennan called for a Division. The Mayor called in favour of the Motion: Crs O'Brien, Macdonald, Bennett, Warburton, Holstein, Logan and Brennan; and those against: Crs Jones and Neuendorf.

**LI5.071219**

**FILE NUMBER – 2.4/10/38**

**ADDITIONAL SLASHER DRIVERS**

Moved by Cr Neuendorf, seconded by Cr Holstein that Council investigate the possible employment of additional slasher drivers to cope with the extra growth due to the recent rainfall.

**CARRIED 9/0**

In addition, Cr Neuendorf enquired into the possible purchase of an additional tractor for slashing purposes. **The Mayor requested that the Director Engineering Services investigate this matter and that a report be tabled at a future Council Meeting.**

**Moved by Cr Brennan, seconded by Cr Holstein that Council place a Public Notice in the Gatton Star requesting people to remove any temporary electric fences which may have been put on the roadside to enable the feeding of stock during the drier times, to enable these areas to now be safely slashed.**

**CARRIED 9/0**

**At this juncture, Cr Bennett requested that the addition of 'Keep Clear' line-marking in William Street at the entrance/exit to the Shopping Centre be investigated.**

**FILE NINE COMMENCED the following discussions.**

**Further, Cr Bennett requested that the addition of a drop off parking zone in the CBD in Railway Street, Gatton be investigated. In addition, the Mayor requested that a Taxi pick up zone be allocated in front of Baileys or another appropriate site.**

Cr Brennan left the meeting briefly at this juncture.

**In addition, Cr Bennett requested that the disused pump station in Allan Street be tidied up.**

Cr Warburton addressed the Council in regard to a confidential health issue at Grantham. **The Mayor requested that the Director Community Services further investigate this matter.**

- Drainage issue- to be held in Closed Forum.

Cr Logan addressed the Council in regard to a request received from Mr Ian Lindenmayer for assistance in spot spraying of the Johnson grass on the roadside near his farm on Left Hand Branch Road – **the Mayor requested that the Director Community Services and the Weeds Officer investigate this matter and report back to a future Council meeting.**

Cr Brennan addressed the Council in regard to the recent flooding of Tenthill Road and the positioning of hay bales by a local farmer to divert this water into his dam, further requesting the construction of a permanent solution to this problem – **the Mayor requested that the Manager Roads Infrastructure investigate this matter, including liaising with the farmer concerned.**

## **ENGINEERING SERVICES**

Cr O'Brien declared an interest in ES1 and left the meeting during these discussions.

### **ES1.071219**

**FILE NUMBER – 2.4/10/24 & RN 551**

### **RAILWAY STREET AND COCHRANE STREET INTERSECTION – TRAFFIC SAFETY INVESTIGATION**

#### **Manager Roads Infrastructure's Report**

It was resolved that this report be held over to a future Council meeting in order to allow for Councillors to undertake a site inspection.

## **BUILDING SERVICES**

### **BS4.071219**

**FILE NUMBER - 8.2/3/10/1088-30887-0**

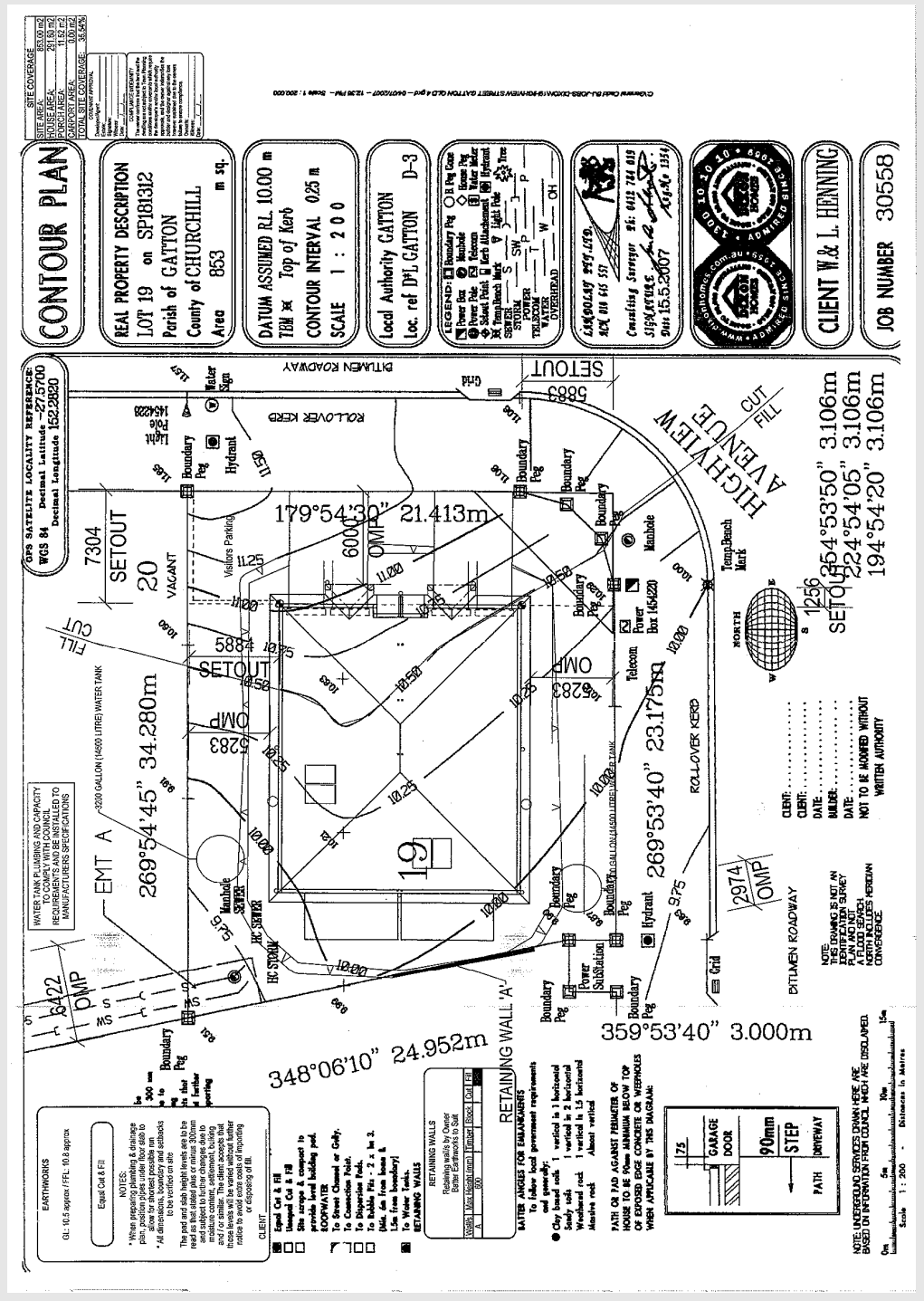
### **REQUEST FOR BOUNDARY RELAXATION FOR MR WJ AND MRS LC HENNING AT LOT 19 SP181312, 45 HIGHVIEW AVENUE, GATTON**

#### **Manager of Building Services's Report**

Moved by Cr Macdonald, seconded by Cr Neuendorf that:

1. Council withdraw the previous refusal as it was assessed incorrectly and is therefore invalid; and
2. The landowner/applicant is advised in writing of Council's decision.

**Attachment – Site Plan**



CARRIED 8/0

**BS5.071219**

**FILE NUMBER - 8.2/3/10/1715-1-011**

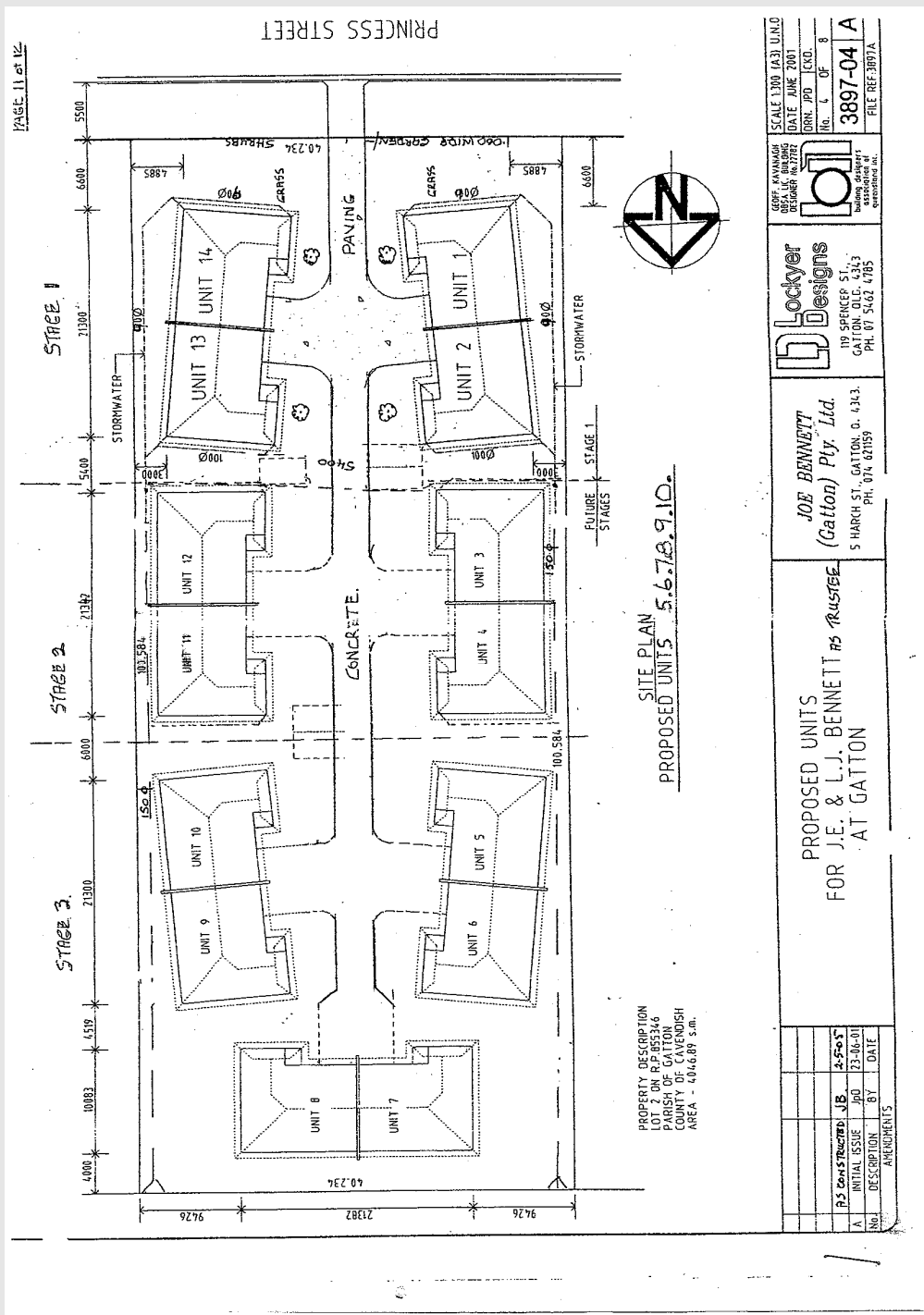
**REQUEST FOR BOUNDARY RELAXATION FOR MS EM ZISCHKE AT LOT 11  
SP172571, 11/27-29 PRINCESS ST, GATTON**

**Building Services's Report**

**Moved by Cr Macdonald, seconded by Cr Neuendorf that:**

- 1. Council approve the request for the set back of 500mm to the side boundary, as this proposal complies with the fire separation requirements in the BCA and there are now no requirements for boundary setbacks on attached Class 1 buildings; and**
- 2. The landowner/applicant be advised in writing of Council's decision.**

**Attachment – Site Plan**



CARRIED 8/0

Cr Logan left the meeting briefly at this juncture.

Cr O'Brien returned to the meeting at this juncture.

**P&E6.071219**

**FILE NUMBER - R4837-1/DA4762**

**REQUEST FOR REDUCED LOT SIZES FOR DA4762 LOCKYER DESIGNS  
(COSTELLO) 1043 MURPHYS CREEK ROAD, MURPHYS CREEK**

**Manager Planning and Environment's Report**

Moved by Cr Holstein, seconded by Cr Macdonald that:

1. That this report be noted;
2. The landowner be notified that the minimum allowable lot size under the provisions of the Transitional Planning Scheme for the Homestead Residential Precinct is 8000m<sup>2</sup> with an average lot size of 1.2ha, and
3. Council advise the landowner and Consultant in writing of its decision so that the application may proceed.

**CARRIED 9/0**

**FILE TEN COMMENCED**

**P&E7.071219**

**FILE NUMBER - R1814-0**

**UNAPPROVED POULTRY FARM LOCATED AT 54 HELIDON DIP ROAD,  
HELIDON**

**Manager Planning and Environment's Report**

Moved by Cr Warburton, seconded by Cr Macdonald that:

1. The tenant is to provide details in writing regarding the total number of birds on site and details of where and what the birds are housed in;
2. The tenant is to outline the timeframe for the removal of the birds and provide this information to council; and
3. The tenant be invited to attend a future Council Meeting to discuss the proposed timeframe.

**CARRIED 9/0**

Cr Neuendorf left the meeting briefly at this juncture.

## **COMMUNITY SERVICES**

### **CS2.071219**

**FILE NUMBER – 2.14/1/15**

### **MA MA CREEK/TENTHILL TELEVISION BLACKSPOT**

#### **Director Community Services's Report**

Moved by Cr Warburton, seconded by Cr Holstein that Council waive the Building and Planning fees pertaining to the installation of a digital television retransmission facility at Ma Ma Creek/Tenthill only and in addition, the question be asked to the Department of Broadband, Communications and the Digital Economy whether they have considered Mt Michael as a possible site due to it's seemingly more appropriate location.

**CARRIED 9/0**

The Manager Roads Infrastructure left the meeting at this juncture.

The Manager Planning and Environment left the meeting briefly at this juncture.

## **FILE ELEVEN COMMENCED DURING G3**

### **G3.071219**

**FILE NUMBER – 3.1/23/6**

### **CAHILL PARK SPORTS COMPLEX**

Mr Jeff English, Mr Ian O'Brien and Mr Jason Cook addressed the Council in regard to the proposed acquisition and management of Cahill Park Sports Complex.

### **CS3.071219**

**FILE NUMBER – 7.3/1/10**

### **APPLICATION TO KEEP THREE DOGS AT 9 AIRFORCE ROAD, HELIDON**

#### **Director Community Services's Report**

Moved by Cr Macdonald, seconded by Cr Neuendorf that the application be approved subject to the attached conditions.

**Attachment – Conditions of Approval**

**Attachment**

**CONDITIONS OF APPROVAL**

1. This permit is valid only for the three dogs listed hereon. Should any of the dogs be removed from the premises or die they are not to be replaced and the permit becomes invalid.
2. Accommodation and enclosure for keeping the dogs shall be suitable in the opinion of the Authorised Officer to effectively contain the dogs at all times.
3. The dogs' accommodation is to be sited to the satisfaction of an Authorised Officer and to be not less than three (3) metres from any property boundary.
4. The area to be used for keeping the dogs is to be of adequate size to allow for satisfactory exercise facilities, according to the breed, size and nature of the dogs to be housed.
5. All drainage and run off to be confined to the premises on which the accommodation is situated.
6. Waste material and dog faeces are to be removed daily and be disposed of in a manner approved by the Authorised Officer.
7. The accommodation and enclosure is required to be thoroughly cleansed daily and disinfected as directed by the Authorised Officer to prevent:
  - (a) the likelihood of any disease arising;
  - (b) any nuisance condition arising;
  - (c) any offensive smell arising;
  - (d) the breeding of flies; or
  - (e) the attraction of vermin.
8. The accommodation and enclosure are required to be maintained in a structurally satisfactory condition and the Authorised Officer may at any time require such accommodation and enclosure or any part thereof to be altered, repaired, or painted.
9. The Holder of this permit shall take such measures as are required by the Authorised Officer to abate any noise nuisance caused by the persistent and loud barking, howling or whining of the dogs.
10. The Holder of this permit shall be required to carry out such other relevant matters to abate any condition or problem caused through the keeping of the dogs affecting the amenity of the neighbourhood.
11. No breeding for commercial purposes is permitted.
12. The dogs are required to be registered with Council annually.
13. Council reserves the right to cancel this permit at any time should the conditions of issue not be complied with.

**CARRIED 9/0**

The Acting Chief Executive Officer left the meeting briefly at this juncture.

**FILE TWELVE COMMENCED DURING P&E9**

Cr MacDonald; and the Director Engineering Services left the meeting briefly during P&E9.

**P&E9.071219**

**FILE NUMBER - R0143-0/R0277-0**

**REQUEST FOR IN PRINCIPLE SUPPORT FOR CHANGES TO THE ROYAL HOTEL AND NATURAL RESOURCES CARPARK**

**Planning Cadet's Report**

Moved by Cr Warburton, seconded by Cr Holstein that this report be noted; and

1. Council offers in principal support to the proposal for an extension to the Hotel and works to the carpark;
2. Details of works and contributions will be negotiated at time of application; and
3. Council notify the applicant, in writing, of its decision of in principle support for the modifications subject to appropriate planning application.

**CARRIED 9/0**

**LOCKYER VALLEY REGIONAL COUNCIL**

**LVRC10.081219**

**FILE NUMBER – 1.1/15/47 & 1.5/15/1**

**ALGA CONFERENCE NOVEMBER/DECEMBER 07**

**Interim Chief Executive Officer's Report (LVRC)**

This report was noted.

**LI6.071219**

**FILE NUMBER – 1.1/17/1**

**COUNCIL CLOSED FORUM AND COUNCIL PASSENGER AND COMMERCIAL VEHICLES**

Moved by Cr Jones, seconded by Cr Macdonald that Council support the preparation of a Media Release in regard to Council Closed Forum and Council Passenger and Commercial Vehicles as per the reports distributed.

**CARRIED 9/0**

**CLOSED FORUM**

Moved by Cr Macdonald, seconded by Cr Warburton that Council resolve into Closed Forum in accordance with Section 463(1) (b) & (h) of the *Local Government Act 1993* to discuss an industrial matter affecting employees and a confidential matter involving a drainage problem.

**CARRIED 9/0**

**FILE THIRTEEN COMMENCED**

**OPEN FORUM**

Moved by Cr Macdonald seconded by Cr Warburton that Council resolve into Open Forum.

**CARRIED 9/0**

It was resolved that the Director Engineering Services investigate the drainage issues at a property in Grantham as discussed during Closed Forum.

**CLOSURE**

There being no further business, the meeting closed at 1.00pm.

**CONFIRMED**

These Minutes were confirmed by Council at the Ordinary Meeting held on 16 January 2008.

**MAYOR**