

# **GATTON SHIRE COUNCIL**

**ORDINARY MEETING      6 FEBRUARY 2008**

## **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
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 6 February 2008.

Derek Sellers  
ACTING CHIEF EXECUTIVE OFFICER

# Ordinary Meeting Confirmed Minutes

6 February 2008

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## **CONFIRMED MINUTES**

Confirmed Minutes of the Ordinary Meeting of the Gatton Shire Council held in the Council Chamber on Wednesday 6 February 2008, commencing at 9.07am.

### **ATTENDEES**

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

### **APOLOGIES**

Cr Warburton.

### **OPENING PRAYER/CONDOLENCES**

A vote of sympathy to the relatives of the following was recorded by a short silence and Mrs Roslyn Ballin said the Opening Prayer.

The late Betsy Violet May Phipps (Vi).  
The late Mary Woolfenden.  
The late Phillip Richard Williams.  
The late Thomas Rao Grice (Tom).  
The late Terence Crowley (Terry).  
The late William Barnes (Bill).  
The late Ruby May Dodt.  
The late George Connors.  
The late Reginald John Schimke (Reg).

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

**Moved by Cr Bennett, seconded by Cr Macdonald that the Minutes of the Ordinary Meeting held on 16 January 2008 be taken as read and confirmed.**

**CARRIED 8/0**

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

- Request from Social Club for Gatton Shire Council farewell evening
- Proposed Extension to Historical Society Lease
- Update on Gatton Arts and Cultural Centre
- Lease at Lake Apex Cafe
- Drainage issue at Lockyer District High School

The Manager Roads Infrastructure addressed the Council in regard to several matters pertaining to roads maintenance. At this juncture, Cr Bennett advised of a vehicle roll over on the intersection of the Gatton-Esk Road and Lake Clarendon Way stating that this intersection needs investigation for improvement. **The Mayor requested that the Manager Roads Infrastructure further investigate this matter and report back to Cr Bennett.**

## **LATE ITEMS**

### **LI1.080206**

**FILE NUMBER – 2.4/10/44 & 248633**

## **REQUEST RECEIVED FROM WILHEM TAYLOR – PEDESTRIAN CROSSING**

**Moved by Cr Bennett, seconded by Cr Macdonald that Council investigate the feasibility of the construction of a pedestrian crossing in the vicinity of the Peace Lutheran School and that a report be tabled at a future Council meeting in regard to this request.**

**CARRIED 8/0**

Cr O'Brien addressed the Council in regard to complaints received pertaining to traffic on George Street, Helidon - **the Mayor requested that a traffic speed counter be placed on this street.**

At this juncture, Cr Neuendorf tabled correspondence he received from F.A.U.N.A.; D W Burton; and Neal Finch.

## **FILE TWO COMMENCED DURING LI2**

### **LI2.080206**

**FILE NUMBER – 7.3/6/6**

### **NOISE NUISANCE COMPLAINTS**

Cr Logan left the meeting briefly during the taking of the following Motion.

**Moved by Cr Holstein, seconded by Cr Neuendorf that Council write to the Police Commissioner, the Minister of Police and the Premier requesting that they investigate taking action in regard to the noise nuisance complaints received relating to the riding of motorbikes on private land in Withcott. In addition that it be requested that the legislation pertaining to how noise nuisance are dealt with be investigated for improvement.**

**CARRIED 7/0**

**Moved by Cr Holstein, seconded by Cr Neuendorf that the noise complainants be advised in writing of the above Motion and of Council's position in regard to noise nuisance complaints.**

**CARRIED 8/0**

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

Cr Holstein; the Mayor; and the Interim Chief Executive Officer left the meeting briefly during G1.

### **GUESTS**

### **G1.080206**

**FILE NUMBER – R3164-865/R3143-9/R3152-5/R3164-0/R3163-0 & DA5200**

### **WOODLANDS RISE DEVELOPMENT**

Mr Peter Moriarty and Mr Mark Farrell from PMM Group, Mr Peter Macleod from Consolidated properties and Mr Graham Ison from Lason Pty Ltd (Applicant) addressed the Council in regard to the Woodlands Rise development.

At this juncture the meeting adjourned for Morning Tea and resumed at 10.42am.

## **FILE FIVE COMMENCED**

### **PUBLIC QUESTION TIME**

- Ray Grams – zoning of property and use of land (Dataworks Doc No: 250841). **The Mayor requested that a meeting be organised with the appropriate Planning Officers in regard to the matters raised.**
- Brian Costello – Development Application at Murphys Creek (Dataworks Doc No: 250839). The Mayor requested that this matter be dealt with further later in the meeting.

## **FILE SIX COMMENCED DURING THE FOLLOWING DISCUSSIONS**

- Richard and Sheila Cork – matters relating to the Lake Apex Kiosk (Dataworks Doc No: 250840). **The Mayor requested that the Director Community Services organise a meeting between the appropriate people in regard to the matters raised and report back to a future Council meeting.**

Cr Macdonald left the meeting briefly during the following discussions.

**Cr Bennett addressed the Council in regard to drainage issues, requesting that thorough consideration of stormwater flow is taken into account when new residential blocks are being created.**

**Cr Bennett further addressed the Council in regard to the overgrown state of a rural residential property on Redbank Creek Road requesting that Council's Local Law (No. 11 Control of Nuisances) be investigated to include that the owners of these larger blocks have a responsibility to keep their land in a tidy state so as to reduce the fire risk and possible health risks in these areas.**

**In addition, Cr Bennett requested that the Tenders received for the earthworks and for the construction of the Cultural Centre be considered simultaneously to allow assessment of the combined costs.**

Cr Bennett left the meeting briefly during the LI3.

LI3.080206

FILE NUMBER – 2.4/10/47 & 250740

CORRESPONDENCE RECEIVED - SAFETY ISSUE AT SCHOOL BUS STOP AT CORNER OF WARREGO HIGHWAY AND KELLYS ROAD, HELIDON SPA

Moved by Cr Jones, seconded by Cr Holstein that Council write to the Minister of Queensland Transport and the Minister of Main Roads requesting that the safety issue at the school bus stop on the corner of the Warrego Highway and Kellys Road, Helidon Spa be investigated immediately for improvement. In addition, the correspondent be advised of this action (Dataworks Doc No: 250740).

CARRIED 7/0

FILE SEVEN COMMENCED DURING THE FOLLOWING DISCUSSIONS

LI4.080206

FILE NUMBER – R2380-0-0/DA2728

NON-COMPLIANCE OF DEVELOPMENT APPLICATION CONDITION

Moved by Cr Holstein, seconded by Cr Neuendorf that the Manager Planning and Environment contact the proprietors of the Adult Shop in Withcott in regard to the shop being opened seven days a week which is in contradiction to the Development Application Condition that states the shop is only to open six days a week.

CARRIED 8/0

Cr Holstein addressed the Council in regard to a dangerous situation which she recently witnessed at the rail crossing in Helidon which involved a truck traversing the crossing in front of an oncoming train – **the Mayor stated that it has been previously requested that a meeting be organised with Queensland Rail in regard to other issues, so therefore requested that the Acting Chief Executive Officer investigate the scheduling of this meeting and that this matter be raised during these discussions.**

Cr Logan addressed the Council in regard to a building issue with the Girl Guide Hut. **The Mayor requested that the Director Community Services table a report at a future Council meeting in regard to this matter.**

In addition, Cr Logan addressed the Council about being contacted by Mr Guy Rauchle in regard to not receiving a response to a question arising from a previous Council meeting's Public Question Time (Dataworks Doc No's: 224043 and 227915). **The Manager Roads Infrastructure advised he would follow up on this matter and the Mayor requested that Cr Logan be advised of the outcome.**

Cr Brennan tabled correspondence he received from the Cahill Park Sports Complex in regard to waterlogging between the two eastern fields at Cahill Park, requesting that this matter be investigated as a matter of urgency. **The Mayor requested that the Director Engineering Services investigate this matter and table a report at a future Council meeting on the outcome.**

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

Cr Macdonald; Cr O'Brien; Cr Holstein; and Cr Neuendorf left the meeting briefly during Closed Forum.

#### **CLOSED FORUM**

**Moved by Cr Neuendorf, seconded by Cr Brennan that Council resolve into Closed Forum in accordance with Section 463(1) (g) & (h) of the *Local Government Act 1993* to discuss a Development Application matter which may have legal or financial implications.**

**CARRIED 8/0**

#### **FILE EIGHT COMMENCED**

#### **OPEN FORUM**

**Moved by Cr Bennett, seconded by Cr Logan that Council resolve into Open Forum.**

**CARRIED 8/0**

## **CORRESPONDENCE/REPORTS**

### **FINANCE AND ADMINISTRATION**

The Director Community Services; the Manager Planning and Environment; and the Interim Chief Executive Officer left the meeting briefly during F&A1.

Cr Brennan left the meeting briefly during F&A1 and returned during LVRC6.

#### **FA1.080206**

**FILE NUMBER – 3.5/15/6 & 249527**

#### **COMPENSATION FOR SHARES IN SEQWATER**

##### **Acting Chief Executive Officer's Report**

Moved by Cr Holstein, seconded by Cr Bennett that the report on Compensation for Shares in SEQWater be noted.

**CARRIED 7/0**

#### **FA2.080206**

**FILE NUMBER – 1.1/20/21 & 250200**

#### **OPERATING PLAN QUARTERLY REVIEW TO 31 DECEMBER 2007**

##### **Acting Chief Executive Officer's Report**

Moved by Cr Neuendorf, seconded by Cr O'Brien that the Operating Plan Quarterly Review to 31 December 2007 be received by Council (Dataworks Doc No: 250200).

**CARRIED 7/0**

## **ENGINEERING SERVICES**

### **ES3.080206**

**FILE NUMBER – 3.5/15/1 & 250199**

### **TOTAL MANAGEMENT PLANS – DROUGHT MANAGEMENT PLAN**

#### **Director Engineering Services's Report**

**Moved by Cr Macdonald, seconded by Cr Neuendorf that Council resolve to adopt the Drought Management Plan (Dataworks Doc No: 250199).**

**CARRIED 7/0**

## **COMMUNITY SERVICES**

### **CS4.080206**

**FILE NUMBER – 7.5/9/9**

### **SECURITY AND ACCESS CONTROL SYSTEM – OFFICE, SHIRE HALL AND DEPOT**

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

**Moved by Cr Holstein, seconded by Cr Neuendorf that the quote from Ambush Security Services be accepted for the installation of an electronic security and access control system at the Office, Shire Hall and Depot and that the Budget be amended to allocate funds for the work at the Depot.**

**CARRIED 7/0**

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

## **BUILDING SERVICES**

### **BS5.080206**

**FILE NUMBER – 8.2/3/10-R1575-0-0/DA4977**

### **REPORT ON BUILDING APPLICATION AT 44 OLD COLLEGE ROAD, GATTON FOR MRS C POHLMAN**

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

**Moved by Cr Bennett, seconded by Cr Macdonald that the report on Building Application at 44 Old College Road, Gatton be noted.**

**CARRIED 7/0**

**FILE NINE COMMENCED DURING LVRC6**

**LVRC6.080206**

**FILE NUMBER – 1.1/15/47 & 249723**

**LVRC UPDATE**

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

The Interim Chief Executive Officer addressed the Council in regard to this item.

The Interim Chief Executive Officer left the meeting during LI5.

**LI5.080206**

**FILE NUMBER – 2.4/3/6**

**DRAINAGE ISSUE AT LOCKYER DISTRICT HIGH SCHOOL**

**Director Engineering Services's Report**

Moved by Cr Jones, seconded by Cr Bennett that the matter is referred to the Queensland Department of Education requesting that they undertake a hydraulic study of the school's stormwater system and undertake the necessary improvements to alleviate downstream flooding issues. In addition the Department be asked to meet with the appropriate Council Officers in regard to parking within the school grounds.

**CARRIED 8/0**

**FILE TEN COMMENCED DURING LI6**



The Manager Roads Infrastructure left the meeting briefly during LI7

**LI7.080206**

**FILE NUMBER – 5.5/25/5**

**ART AND CRAFT SHOW BOOKING OF SHIRE HALL FOR 2008 EVENT**

**Moved by Cr Holstein, seconded by Cr Neuendorf that the organisers of the Blue Light Disco be contacted and asked if their event scheduled to be held on 31 October 2008 can be changed to allow the annual Art and Craft Show to be held in the Shire Hall on this date.**

**CARRIED 8/0**

The Director Engineering Services left the meeting briefly during LI8.

**LI8.080206**

**FILE NUMBER – 5.5/10/13**

**UPDATE ON GATTON ARTS AND CULTURAL CENTRE**

**Director Community Services's Report**

**Moved by Cr Brennan, seconded by Cr O'Brien that all works be put on hold for the Gatton Arts and Cultural Centre until after the upcoming election on the 15 March 2008.**

**LOST 5/4**

**LI9.080206**

**FILE NUMBER – 1.1/29/22**

**REQUEST FROM SOCIAL CLUB FOR A GATTON SHIRE COUNCIL FAREWELL EVENT**

**Moved by Cr Holstein, seconded by Cr O'Brien that Council agree to provide financial assistance of \$4500 to the Council Social Club to hold a farewell event for Gatton Shire Council staff and Councillors.**

**CARRIED 8/0**

Moved by Cr Holstein, seconded by Cr Macdonald that Council support the purchase of commemorative items in regard to the winding up of the Gatton Shire Council prior to the amalgamation.

**CARRIED 8/0**

At this juncture, Cr Bennett enquired into whether a group photo would be taken prior to the amalgamation – **the Mayor requested that this enquiry be considered.**

**LI10.080206**

**FILE NUMBER - R3164-865/R3152-5/R3143-9/R3164-0/R3163-0/DA5200**

**ASSESSMENT ISSUES ASSOCIATED WITH AN APPLICATION FOR MATERIAL CHANGE OF USE (PRELIMINARY APPROVAL OVERRIDING PLANNING SCHEME) FOR WOODLANDS RISE ESTATE ON LOT 999 ON SP199151, LOT 109 ON CH31631, LOT 1 ON RP891046, LOT 2 ON SP182250, LOT 104 AND 108 ON CH31585 AT EDWARDS AND WOODLANDS ROAD, GATTON**

**Consultant's Report**

Moved by Cr Neuendorf, seconded by Cr Macdonald that Council agrees to seek the following additional information from the Applicant in order to progress the assessment of this application:

- 1) The size of the proposed development well exceeds the anticipated demand for new residential dwellings in Gatton as determined by the SEQ Regional Plan. The Applicant is asked to review their proposal in light of SEQ Regional Plan and Draft LGMS forecasts;
- 2) An Amended Proposal Plan demonstrating:
  - 2.1. Retention of natural drainage path,
  - 2.2. Exclusion of land subject to Q100 floods (+300mm) from proposed developable area,
  - 2.3. Developable area that does not rely on filling any land subject to flooding,
  - 2.4. Park land (10% of the entire site area wholly above the Q100 with a minimum of 75% above Q100),
  - 2.5. Proposed sequencing of stages,
  - 2.6. Remove any reference to small lots and rural residential lots,
  - 2.7. Provide buffer lots (800m<sup>2</sup>) where adjacent to Rural zoned;
- 3) The Applicant is further advised that the following amendments to the application are required before further assessment can be conducted. All reports / information are to be based on any amended plan as outlined above:
  - 3.1. Amended flooding assessment based on retention of natural drainage path and include upstream and / or downstream impacts,
  - 3.2. Proposed stormwater (quantity and quality) management regime,
  - 3.3. Amended needs analysis (retail and residential). Retailing is to be of a scale and nature to service the convenience needs of estate residents only,
  - 3.4. Hierarchy of road network,

- 3.5. Align definitions with those found in the Gatton Planning Scheme 2007,
  - 3.6. Amend Level of Assessment Tables to reflect where the proposal is to override the Gatton Planning Scheme 2007,
  - 3.7. Amend Planning Area Code to include relevant development criteria for any precinct,
  - 3.8. Demonstrate adequate and reliable water supply to all lots, including location of any water reservoirs,
  - 3.9. Demonstrate adequate effluent disposal for all lots, including reticulated infrastructure connection for all urban residential lots and any upgrades to Council's sewer infrastructure required by the proposal;
- 4) That Council continue to assess information in support of the application where provided by the Applicant;
  - 5) That the Applicant be advised that any peer review assessment of reports provided in support of this application will be at the Applicants expense; and
  - 6) That Council Officers continue to progress the application subject to receipt of additional information.

**CARRIED 8/0**

#### **CLOSED FORUM**

Moved by Cr Bennett, seconded by Cr Macdonald that Council resolve into Closed Forum in accordance with Section 463(1) (e) & (g) of the *Local Government Act 1993* to discuss a confidential Development Application matter and a lease issue.

**CARRIED 8/0**

The Acting Chief Executive Officer; Cr Bennett; Cr Logan; and the Mayor left the meeting briefly during Closed Forum.

#### **FILE ELEVEN COMMENCED**

#### **OPEN FORUM**

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

**CARRIED 8/0**

**CF/LI11.080206**

**FILE NUMBER - R4129-5**

**REQUEST FOR CHANGE OF CONSENT JUDGEMENT FOR MT SYLVIA  
DIATOMITE, CHALK MINE ROAD**

**Manager Planning and Environment's Report**

Moved by Cr Neuendorf, seconded by Cr Macdonald that this report be noted and that Council:

1. Approves the proposed amended Condition 27;
2. Approves the proposed changes to Site Plan; and
3. Provides a response to Corrs Chambers Wesgarth to allow the proceedings to progress on Friday 8 February 2008.

**CARRIED 8/0**

**CLOSURE**

There being no further business, the meeting closed at 1.23pm.

**CONFIRMED**

These Minutes were confirmed by Council at the Ordinary Meeting held on 20 February 2008.

**MAYOR**