

**Minutes of the Ordinary Meeting  
of the Wondai Shire Council  
held on 5 September 2007**

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**PRESENT:**

**Councillors:** I.D. Carter (Mayor), M.P. Bird, 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), Ms E.M. Sharpe (Deputy Chief Executive Officer), Mr G.D. Payne (Manager, Finance & Administrative Services).

**LEAVE OF ABSENCE:** Moved, Cr M.P. Bird, Seconded, Cr G.A. Boyle that a leave of absence be granted to Cr K.A. Duff and Cr P. Fletcher. Carried (8/0)

**CONFIRMATION OF MINUTES:** Moved, Cr P.A. Seiler, Seconded, Cr R.G. Mitchell that the Minutes of the Ordinary Meeting held on 15 August 2007 be confirmed. Carried (8/0)

**FINANCIAL STATEMENTS:** Moved, Cr M.P. Bird, Seconded, Cr G.L. Smith that the financial statements be received. Carried (8/0)

**PAYMENTS TO CREDITORS:** Moved, Cr K.N. Polzin, Seconded, Cr R.G. Mitchell that the payments to creditors listed in the meeting papers be received. Carried (8/0)

**APPLICATION FOR GRANTS AND DONATIONS – PROSTON STATE SCHOOL:** Moved, Cr R.G. Mitchell, Seconded, Cr P.A. Seiler that Council allow Proston State School to borrow 10 lengths of metal formwork for the purpose of laying two concrete slabs. Carried (8/0)

**APPLICATION FOR GRANTS AND DONATIONS – WONDAI PONY CLUB:** Moved, Cr D.W. Kratzmann, Seconded, Cr R.G. Mitchell that Council provide bollards and the PA system to the Wondai Pony Club at no cost for their annual gymkhana to be held on 9 September 2007. Carried (8/0)

*Cr Kratzmann, being the proprietor of the Tingoora Hotel declared an interest in the following matter and left the meeting at 10.10am.*

**APPLICATION FOR GRANTS AND DONATIONS – TINNY ROCK FESTIVAL:** Moved, Cr K.N. Polzin, Seconded, Cr G.A. Boyle that Council approve the application by the Tingoora Hotel for in-kind assistance with running the 2007 Tingoora Rock Festival via the supply and collection of rubbish bins, the placement of safety mesh in the car park area, the provision of road closure barricades and maintenance of the Tingoora Sportsground prior to the event. Carried (8/0)

*Cr Kratzmann returned to the meeting at 10.14am*

**PEST SURVEY PROGRAM:** Moved, Cr K.N. Polzin, Seconded, Cr G.A. Boyle that Council resolve to carry out an approved pest survey program of properties within the Wondai Shire as required under Section 241 of the Land Protection (Pest and Stock Route Management) Act

2002. The pest survey program will commence on 28 September 2007, extending over a period of three (3) months and expiring on 28 December 2007. Carried (8/0)

**ENVIRONMENTAL HEALTH OFFICER'S REPORT:** Moved, Cr R.G. Mitchell, Seconded, Cr P.A. Seiler that the Environmental Health Officer's Report be received. Carried (8/0)

**WORKS REQUEST STATEMENT:** Moved, Cr M.P. Bird, Seconded, Cr I.D. Carter that the works request statement be received. Carried (8/0)

**REQUEST FOR PRELIMINARY DECISION – REMOVAL DWELLING:** Moved, Cr G.L. Smith, Seconded, Cr R.G. Mitchell that SR Marsh and RL Clarke be advised that Council would grant approval to a properly made application for development approval to relocate a dwelling to Lot 53 on RP199825 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. Compliance with the requirements of the inspection report dated 7 December 2006.
4. Payment of a bond of an amount of \$15,000, which will not be released until all conditions of development approval have been met.

Carried (8/0)

**ENGINEERS REPORT:** Moved, Cr M.P. Bird, Seconded, Cr P.A. Seiler that the Engineers Report be received. Carried (8/0)

**DEVELOPMENT APPLICATION – DAVIDSON HOMES – TRIPLEX LOT 17 GREENVIEW RD, WONDAL:** Moved, Cr I.D. Carter, Seconded, Cr K.N. Polzin that the development application submitted by Davidson Homes for a Triplex accommodation building at Lot 17 on RP27223 Greenview Road be approved subject to the following conditions.

- 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.  
The term '*approved plan of development*' (or similar) refers to the building plans dated September 2006 prepared by Statewide Design Drafting and labelled as Job No 0609-261, comprising of 9 sheets in total.

### **General**

- G1. Development of the subject land is to proceed generally in accordance with the following proposal plans prepared by Statewide Design Drafting, numbered 0609-261 and dated September 2006—
  - (a) Amended Site Plan (Unnumbered Sheet of 9 ) illustrating one only triplex;
  - (b) Floor Plan (Unnumbered Sheet of 9); and
  - (c) Elevations (Unnumbered Sheet of 9).
- G2. 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.
- G3. All services are to be contained within the respective lot.
- G4. All works, including the relocation of services (Telstra, lighting etc.) are to be completed at no cost to Council.
- G5. Dust prevention measures to be undertaken to ensure that dust does not cause a nuisance to occupiers of adjacent premises, during and after construction.

G6. The site is to be maintained in a clean and orderly state at all times.

### **Landscaping**

- MCU1. The site is to be landscaped in accordance with Planning Scheme Policy No. 5 – Landscaping. A detailed landscaping plan preparing in accordance with Planning Scheme Policy No.5—Landscaping is to be submitted and approved by Council prior to commencement of construction. In this regard, all landscaping shall be provided prior to use or occupation of the triplex.
- MCU2. A minimum 2m wide strip of landscaping is to be provided along the Greenview Road frontage (excluding vehicle manoeuvring areas).
- MCU3. A minimum 2m wide strip of landscaping is provided along the eastern and western property boundaries. Please note that the western boundary falls within an indicative riparian land 100m buffer on SMOA Map 2C.
- MCU4. That any significant trees on the site further than 15m from buildings and paved areas be retained.

### **Fencing**

- MCU5. Fencing along the Greenview Road boundary is to be either—
- a. a maximum of 1.2m high if of solid construction; or
  - b. a maximum of 1.5m high with gaps that permit 50% transparency.
- MCU6. Fencing along the side boundaries is to be tapered to the frontage, over 4m to—
- a. 1.2m if solid fencing is provided along the frontage; or
  - b. 1.5m if 50% transparent fencing is provided along the frontage.

### **Satellite Dishes**

- MCU7. A maximum of one satellite dish is permitted with a maximum diameter of 1.2m with a maximum height of 10.5m above ground level.

### **Lighting**

- MCU8. 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**

- MCU8. One of the visitor car parking spaces included on the proposal plan is to be removed and replaced with a vehicle turning area that is a minimum of 2m in depth and will enable vehicles exiting the garages to turn on site and exit in a forward gear without intrusion into the remaining visitor parking bay.
- MCU9. The car parking area and internal driveway is to be constructed, drained and surfaced with either asphaltic concrete, bitumen or concrete so as 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 reinforced crossover through the kerb and channelling to the property alignment are designed and constructed in accordance with Schedule 2 of Table S2.7 of the Planning Scheme.**

### **Stormwater**

- ENG2. 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.
- ENG3. 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**

ENG4. 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.

## **Development Contributions**

ENG5. Payment prior to building approval of a contribution toward water supply in accordance with Planning Scheme Policy 7—Infrastructure for 6.4 equivalent persons (calculated at 3.2EP per unit with a 3.2EP deduction for the existing lot) at the rate applicable at the time of payment. At current rates, the contribution is \$2993.92.

Payment prior to building approval of a contribution toward Sewerage Infrastructure in accordance with Planning Scheme Policy 7—Infrastructure for 6.4 equivalent persons (calculated at 3.2EP per unit with a 3.2EP deduction for the existing lot) at the rate applicable at the time of payment. At current rates, the contribution is \$5293.76.

## **Water & Wastewater**

ENG6. That the property be connected to the Wondai Sewerage Scheme and costs associated with the connection to be borne by the applicant.

ENG7. That suitable backflow device shall be installed on the water supply at the property boundary. In this regard, the device shall take into account rainwater tanks and the type of onsite wastewater treatment plant.

ENG8. That sizing of the water service shall take into account mains flow and pressure together with any friction loss associated with the development. In this regards, advice should be sought from a hydraulic consultant.

## **Wheelie Bins**

Bins are to be enclosed in a 1800 high picket fence out of view.

Carried (8/0)

**DEVELOPMENT APPLICATION – KMM – CONCRETE BATCHING PLANT LOT 41 BURROWS ST, WONDAI:** Moved, Cr I.D. Carter, Seconded, Cr R.G. Mitchell that the development applications submitted by KMM Concrete Pty Ltd for a concrete batching plant at Lot 41 on SP190438 be approved subject to the following conditions.

## ***Assessment Manager***

### ***General***

- a) Any necessary building approvals or other statutory approvals shall be obtained.**

### ***Landscaping***

- b) The site is to be landscaped in accordance with Planning Scheme Policy No. 5 – Landscaping.**
- c) A minimum 1m wide strip of landscaping is to be provided along the Burrows Street Road frontage (excluding vehicle manoeuvring areas).**

### ***Lighting***

- d) 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*

- e) The provision of onsite car parking in accordance with Schedule 1 – Parking and on-site Movement – Ratios, Design and Construction Standards.
- f) The car parking area and internal driveway is to be constructed, drained and surfaced with either asphaltic concrete, bitumen or concrete so as to minimise dust emissions, erosion and sediment run-off. The construction and design is to be to the satisfaction of the Shire Engineer or his delegate.

### *Access*

- g) Construct a reinforced crossover through the kerb and channelling to the property alignment are designed and constructed in accordance with Schedule 2 of Table S2.7 of the Planning Scheme.

### *Stormwater*

- h) 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.

## ***Referral Agency Wondai Shire Council (EP Act)***

### *Environmental Protection*

1. The activities on, or use of the site, shall not cause land to become contaminated as defined in the Environmental Protection Act 1994.
2. In accordance with Schedule 1 of the Environmental Protection Regulations 1998, the activity is classed as a Level 2 devolved Environmentally Relevant Activity (ERA) and requires a registration certificate from Council.
3. Contaminants must not be released to the environment from the relevant activity in contravention of this development approval, where the release will or may cause environmental harm or environmental nuisance.

### *Waste Management*

4. Where waste is a contaminant, must not release waste to the environment where the release will or may cause environmental harm or environmental nuisance, unless such release is authorised.
5. Contaminants (including but not limited to oil, waste oil, paint tins, acid drums, batteries etc) shall be stored on an impervious surface in an adequately bunded and covered area, unless practicable means or measures are installed to prevent the possible contamination of stormwater or land.
6. Wastewater and other liquid and solid waste shall not be released to stormwater, groundwater or discharged to creeks, rivers, lakes or water bodies of the state. However, town water that has not been contaminated in any form may be permitted to enter the stormwater systems.
7. Wastewater and any other liquid waste shall be treated via an approved treatment device prior to discharge to the sewer.
8. All solid waste shall be removed to an approved waste disposal facility or approved waste recycling facility by a licensed waste transporter.

9. Waste shall not be burnt or allowed to burn on the premises or removed and burnt elsewhere.
10. Where waste is taken off site, the following must be monitored and recorded: -
  - (a) date, quantity and type of wastes removed;
  - (b) waste receiving operator that removed the wastes off-site; and
  - (c) destination of the waste.

#### *Air*

11. Odour and visible contaminants, including but not limited to dust, smoke, fumes and aerosols must not be released to the environment in a manner that will or may cause environmental harm or environmental nuisance unless such release is authorised.
12. Where possible all materials delivered to the premises shall be sufficiently damp such that when tipped into receival bays, there will be no visible emissions of dust outside the property boundary.
13. Raw material stockpiles are to be enclosed on three sides by walls that extend at least 0.5 metres above and forward of the pile.
14. No incineration or open burning shall be carried out on site.

#### *Water / Stormwater*

15. During construction, stockpiles and areas of bare soil or earth that are likely to become eroded must be adequately protected – by upslope surface water diversion, downslope sediment fencing and temporary surface coverings.
16. The activity shall be conducted in a manner to prevent and/or minimise the contamination of surface stormwater runoff.

#### *Noise*

17. The conducting of activities including delivery, dispatch and loading shall be conducted in a manner that does not cause environmental harm or environmental nuisance with respect to noise emissions.

#### *Dangerous Goods*

18. The requirements of the Dangerous Goods Safety Management Act and Regulations 2001 shall be complied with in full.
19. The relevant requirements of AS1940:1993 – The Storage and Handling of Flammable and Combustible Liquids shall be complied with in full. A separate application and detailed set of plans shall be submitted to the health section for approval prior to the commencement of building.

#### *General*

20. At all reasonable times and to the satisfaction of the authorized person, the holder of this development approval must provide and maintain access for the authorized persons to check compliance.
21. Notwithstanding this development approval, you may have obligations at law under the Environmental Protection Act (for example, compliance with Environmental Protection Policies), and other obligations at law created by the Federal, State and Local Governments.

22. All persons engaged in the conduct of the activity shall be trained in the practices and procedures relating to the prevention of environmental harm or environmental nuisance during normal operations and emergencies.
23. If while carrying out an activity, a person becomes aware that serious or material environmental harm is caused or threatened by the activity or an associated activity, the person must notify their employer or Wondai Shire Council if the employer is not contactable. As soon as practicable after becoming aware of any emergency, or incident, the holder of this development approval authority must notify Wondai Council of the event, its nature and circumstances.
24. Not more than fourteen (14) days following the initial notification of an emergency or incident, the holder of this development approval must provide written advice of the initial event in addition to: -
- (a) proposed actions to prevent a reoccurrence of the emergency or incident;
  - (b) outcomes of actions taken at the time to prevent or minimise environmental harm and/or environmental nuisance; and
  - (c) the results of any monitoring performed.
- 25.** No change, replacement or operation of any plant or equipment is permitted if the change, alteration or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm or environmental nuisance.

Carried (8/0)

**TEMPORARY ACCOMMODATION PERMIT – E DIMES – 18 COASE LANE, TINGOORA:**

Moved, Cr D.W. Kratzmann, Seconded, Cr G.A. Boyle that Ms Dimes be granted an extension of the temporary accommodation permit for a further 6 months. Carried (8/0)

**CORRESPONDENCE:**

**WONDAI CHAMBER OF COMMERCE & INDUSTRY INC – USE OF BANNER**

**ADVERTISING POLES:** Moved, Cr D.W. Kratzmann, Seconded, Cr K.N. Polzin that Council approve the application by the Wondai Chamber of Commerce Inc. to use the poles at the entrance to town for advertising the Wondai Country Markets. Carried (8/0)

**PROSTON STATE SCHOOL – ERECTION OF STORAGE SHED PROSTON POOL:** Moved, Cr M.P. Bird, Seconded, Cr K.N. Polzin that Council approve the application by the Proston State School to erect a colorbond garden shed at the Proston Pool. Carried (8/0)

**SHIRE HALLS:** Moved, Cr D.W. Kratzmann, Seconded, Cr G.L. Smith that a report on work required to ensure halls in the Shire meet the requirements of the Building Code of Australia be provided to Council. Carried (8/0)

**LOCAL GOVERNMENT REFORM – LOCAL TRANSITION COMMITTEE – SELECTION**

**OF PROXY:** Moved, Cr G.L. Smith, Seconded, Cr G.A. Boyle that Cr Duff be elected as a proxy for the Local Transition Committee in the event that Cr Kratzmann or Cr Carter are unable to attend committee meetings. Carried (8/0)

Moved, Cr G.L. Smith, Seconded, Cr D.W. Kratzmann hat Cr Duff be authorised to attend all meetings of the Local Transition Committee. Carried (8/0)

**WATER SUPPLY ISSUES – PURCHASE OF ALLOCATION – BOYNE RIVER & TARONG**

**WATER SUPPLY SYSTEM:** Moved, Cr K.N. Polzin, Seconded, Cr P.A. Seiler that in accordance with Section 463(1) of the Local Government Act 1993, Council move to a closed meeting to discuss the potential purchase of additional water allocations from the Boyne River and Tarong water supply system. Carried (8/0)

Moved, Cr D.W. Kratzmann, Cr K.N. Polzin that Council move out of the closed meeting and the ordinary meeting resume. Carried (8/0)

**WONDAI SHIRE HISTORY PROJECT:** Moved, Cr G.A. Boyle, Seconded, Cr R.G. Mitchell that in accordance with Section 463(1) of the Local Government Act 1993, Council move to a closed meeting to discuss the publishing and pricing structure for the Wondai Shire History Publication. Carried (8/0)

Moved, Cr D.W. Kratzmann, Seconded, Cr R.G. Mitchell that Council move out of the closed meeting and the ordinary meeting resume. Carried (8/0)

Moved, Cr I.D. Carter, Seconded, Cr P.A. Seiler that Council pre-sell the publication “Wondai Shire History Project for the price of \$110 (inc GST). Carried (8/0)

**LOCAL GOVERNMENT MANAGERS AUSTRALIA 2007 ANNUAL STATE**

**CONFERENCE:** Moved, Cr D.W. Kratzmann, Seconded, Cr M.P. Bird that approval be granted for the Chief Executive Officer to attend the LGMA State Conference at Rockhampton from the 23–26 October 2007. Carried (8/0)

Confirmed this 26th day of September 2007.

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**I.D. Carter**  
**MAYOR**

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**P.J. O’May**  
**CHIEF EXECUTIVE OFFICER**