CLONCURRY SHIRE COUNCIL
ORDINARY MEETING MINUTES
17 February 2009

Minutes of the Ordinary Meeting of the Cloncurry Shire Council held in the Council Chambers, Cloncurry on Tuesday 17 February 2009.

1.0 OPENING OF MEETING

The meeting opened at 8:24am.

2.0 PRESENT

Cr Andrew Daniels (Mayor); Cr Greg Campbell (Deputy Mayor); Cr Bob McDonald; Cr Lynne Vernon; Mr Craig Turnour (Chief Executive Officer); and Mrs Lynda Barnes (Minute Clerk)

3.0 LEAVE OF ABSENCE/CONDOLENCES

Cr Colin Ferguson was absent. Condolences were offered to the families of Mr Percy Davis, Mr Don Heslin, Mr Doug Read and Mr Bill Hutton.

4.0 DEPUTATIONS

The Chief Executive Officer advised that the following deputations will be attending the meeting:-

⇒ *Mr Alex Dorr from the Mount Isa Community Helicopter; and*
⇒ *Mr Daniel Westall from Local Government Infrastructure Services*

5.0 MAYOR'S REPORT

Cr Daniels provided a verbal report. Items discussed included:- state of the Cloncurry-Mount Isa Road; recent floods; level of rates and services provided;& air services to Cloncurry.

6.0 COUNCILLORS' REPORTS

⇒ *Cr Campbell:- progress of new Corporate Plan/Land Use Plan; and*
⇒ *Cr Vernon:- thanks re assistance of child down drain incident 11 February; Curry Day 15 March; & recent discussions with LGIS re the water efficiency program*

7.0 CONFIRMATION OF MINUTES

7.1 Minutes from Ordinary Meeting on 9 December 2008

Moved: Cr Vernon **Seconded: Cr McDonald**
That the minutes of the Ordinary Meeting held on 9 December 2008 be confirmed.
CARRIED 01.090217

8.0 ITEMS DEFERRED FROM PREVIOUS MEETINGS

No report provided.

The Town Planning & Building Administration Officer, Karen Bowman, entered the Chamber at 9:25am to provide her report.

Mr Alex Dorr from Mount Isa Community Helicopter entered the Chamber at 9:28am to address Council about the helicopter service. During the visit Council presented Mr Dorr with a cheque for $15,000 being Council's contribution to the service. Mr Dorr left the Chamber at 10:00am.

9.0 TOWN PLANNING, BUILDING & DEVELOPMENT REPORT

Cr Daniels declared an interest in items 9.1 and 9.2 and left the Chamber at 10:00am. Cr Campbell assumed the Chair.

9.1 Application for Permit to Occupy over Lot 1 on Crown Plan PER208625 – County of Beaconsfield

Moved: Cr McDonald **Seconded: Cr Campbell**
That the application for permit to occupy over Lot 1 on Crown Plan PER208625 be approved.
CARRIED 02.090217

9.2 Application for Permit to Occupy over Lot 1 on Crown Plan PER4850 – County of Beaconsfield

Moved: Cr McDonald **Seconded: Cr Vernon**
That the application for permit to occupy over Lot 1 on Crown Plan PER4850 be approved.
CARRIED 03.090217

9.3 Application for Conversion to Freehold, over Lot 6 on TG19 Three Rivers Area

Moved: Cr Campbell **Seconded: Cr Vernon**
That the application for Conversion to Freehold over Lot 6 on TG19 Three Rivers be approved.
CARRIED 04.090217

Council's consulting Planners, Ken Hicks & Associates, was connected to the meeting via a teleconference at 10:10am.

Cr Daniels reentered the Chamber at 10:25am and resumed the Chair.

Ken Hicks & Associates was disconnected from the teleconference and the Town Planning & Building Administration Officer left the Chamber at.10:35am.

The meeting adjourned at 10:35am and reconvened at 10:55am, with all those previously in attendance present.

The Town Planning & Building Administration Officer, Karen Bowman, reentered the Chamber at 10:55am to continue her report. Council's consulting Planners, Ken Hicks & Associates, were reconnected to the meeting via a teleconference at 10:57am.

9.4 Development Application TP31/08 – Reconfiguration of a Lot (1 into 5) 100 Railway Street

Moved: Cr Vernon **Seconded: Cr McDonald**
The proposal to reconfigure Lot 100 RP 881681 Railway Street, Cloncurry into 4 General business and Industry lots and 1 balance area is approved subject to the following schedule of conditions:-

DEVELOPMENT PERMIT
RECONFIGURATION (CODE ASSESSMENT) – 1 LOT INTO 5 LOTS
SCHEDULE OF CONDITIONS

1. Site Layout

a) The proposed development must generally comply with the Proposal Plan prepared by Brazier Motti as referenced in the table below, which forms part of this application, except as otherwise specified by any condition of this approval.

Drawing Name	Drawing No.	Plan Date
Proposed Reconfiguration	Job No. 28034/1-1 Draw. 28034/1 BB	29 January 2008

b) The proposed development must comply with all Planning Scheme requirements as applying at the date of this application, except as otherwise specified by any condition of this approval.

c) One set of the most up to date approved plans must be held on site and available for inspection for the duration of the construction phase.

2. Amended Plans

Copies of revised plans of the development, incorporating the amended requirements as noted elsewhere in this permit must be submitted to Council for approval prior to the signing of the survey plan.

3. Fencing

All proposed allotments must be fenced in accordance the requirements of the General Business and Industry Performance Criteria and Acceptable Solutions of the Planning Scheme (namely A5.3 fences are a maximum of 1.2m in height if a solid construction and 1.8m in height if up to 50% transparent).

4. Vehicle Access

Only one access point will be permitted from Railway Street to Lot 100 on RP 881681. The point of access must be adjacent to the southern boundary of the subject land and adjacent to the common boundary of Lot 169 on SP142938 A service road to the proposed reconfiguration must be constructed from the point where the crossover from Railway Street intersects with western boundary of the subject land to the southern boundary of proposed lot 1. The service road must be situated completely within Lot 100 on RP 881681 and must be designed, constructed and maintained to a standard which is suitable for traffic associated with uses to be established in the General Business and Industry precinct and in accordance with Institute of Public Works Engineers of Australia standard drawings. Provision must be to contain the service road in access easements across proposed lots 2, 3, 4 & 5 to ensure that all proposed lots have unrestricted access at all times. Easements must be registered in accordance with the Land Title Act 1994 in conjunction with the plan of survey.

5. Water Supply

a) All allotments must be serviced by Council's reticulated water network as required under the General Business and Industry Performance Criteria and Acceptable Solutions of the Planning Scheme.

Alternatively, at its discretion, Council may permit an alternative water supply arrangement if the applicant can demonstrate the proposed allotments can be serviced by water from a reliable bore supply with water from that supply satisfying the microbiological requirements of the NH & MRC Australian Drinking Water Guidelines 2004. Verification of the water quality from the bore must be provided a

registered Microbiology Laboratory.

Prior to the commencement of the use, the applicant must put in place arrangements to the satisfaction of Council, to guarantee all proposed allotments will have unrestricted access to the bore water supply and associated pipeline at all times and for as long as the alternative water supply arrangement remains in place. If required reciprocal easements must be established over the pipeline and bore pump which are in favour of the individual allotments. The easements must be registered in accordance with the *Land Title Act 1994* in conjunction with Survey Plan.

A Water Quality Assessment report prepared by a registered Microbiology Laboratory and a Ground Water Assessment Report prepared by a qualified Hydro-geologist must be provided to Council every 12 months from the date the use commences operation. Should the report contain adverse findings about the quality of the water form the bore supply or the extent of water supply availability then Council may revoke this arrangement and require the proposed allotments must be connected to and serviced by Council's reticulated water network.

6. Sewerage Reticulation

a) The development must be serviced by Council's reticulated sewerage network so as to achieve compliance with the General Business and Industry Performance Criteria and acceptable Solutions of the Planning Scheme.

Alternatively, at its discretion, Council may permit all sewerage and waste water to be disposed within the boundaries of each proposed allotment if it can be demonstrated that such disposal can be achieved in accordance with the Queensland Plumbing and Waste Water Code, the Department of Natural Resources and Mines Approved On-site Sewerage Treatment Systems and to the satisfaction of Council. Under the Plumbing and Drainage Act 2002 application must be made to Council before any building work or installation of an on-site treatment plant can be carried out.

7. Electricity Supply

a) The development must be provided with connection to the reticulated electricity supply network so as to achieve compliance with General Business and Industry Performance Criteria and Acceptable Solutions of the Planning Scheme.

8. Telecommunication Supply

a) The development must be provided with connection to the telecommunications network where available so as to achieve compliance with General Business and Industry Performance Criteria and Acceptable Solutions of the Planning Scheme.

9. Relocation and Provision of Utilities

a) The developer must be responsible for any relocation and/or alteration to any public utility installation required as a result of any works carried out in connection with this development at no cost to Council.

10. Soil Erosion Minimization, Sediment Control and Dust Control

a) During the construction phase of this development the developer must be responsible for the installation and maintenance of adequate erosion and sediment control management, so as to achieve compliance with the Filling and Excavation Code

Performance Criteria and Acceptable Solutions of the Planning Scheme.

b) During the construction phase of this development the developer must be responsible for adequate mitigation measures being put in place for the suppression of dust so as not to cause a nuisance to neighbouring property.

11. Stormwater Drainage

a) The development site must be graded so that it is free-draining. All runoff from storms naturally falling onto this development site (including roof runoff) must be collected within the property boundaries and discharged to the lawful point of discharge as agreed upon by Council. The developer must ensure that no ponding of stormwater occurs on adjacent allotments and that no stormwater formerly flowing onto this development site is diverted onto other neighbouring allotments.

b) Overland flow paths and underground drainage must be designed so as not to directly or indirectly cause nuisance to a downstream or adjoining property.

ADVICE

1. Portable Long Service Leave Notification

As per the Q-leave – Building and Construction Industry Authority Guidelines, for works over $80,000, Council must sight a copy of a receipted Portable Long Service Notification and Payment form prior to the issue of a Development Permit to carry out Operational Works.

2. Payment of Rates, Charges and Expenses

Prior to signing the survey plan, payment of any outstanding rates or charges levied by Council or any expenses being a charge over the subject land.

3. Satisfaction of Approval Conditions

Unless explicitly stated elsewhere in this permit, all requirements of the conditions of this approval must be satisfied prior to Council signing the survey plan. Council may, at its absolute discretion, agree to accept other forms of security to guarantee compliance with conditions to enable an early signing of a survey plan.

4. Limitation of Approval

The Council and its officers make no representations and provide no warranties as to the accuracy of the information contained in the application including its supporting material provided to it by the applicant.

The Council and its officers rely upon the applicant concerning the accuracy and completeness of the application and its supporting material and accepts the application and supporting material as constituting a representation by the applicant as to its accuracy and completeness. Insofar as the application and its supporting material may be incomplete and/or inaccurate giving rise to any claim by a third party the applicant agrees to indemnity and save the Council harmless in respect of any claim so arising.

5. Future Approvals

Any future development on allotments created by this reconfiguration must be assessed against the provisions of Council's Town Planning Scheme before commencement of works.

CARRIED 05.090217

9.5 Development Application TP16/08 – Material Change of Use (Concrete Batching Plant) 100 Railway Street

Moved: Cr McDonald **Seconded: Cr Vernon**
The proposal to establish a Concrete Batching Plant on portion of Lot 100 RP 881681 Railway Street, Cloncurry be approved subject to the following schedule of conditions:-

DEVELOPMENT PERMIT
MATERIAL CHANGE OF USE (CODE ASSESSMENT) – CONCRETE BATCHING PLANT
SCHEDULE OF CONDITIONS

1. Site Layout

a) The proposed development must generally comply with the Proposal Plan prepared by *glynntucker consulting engineers* as referenced in the table below, which forms part of this application, except as otherwise specified by any condition of this approval.

Drawing Name	Drawing No.	Plan Date
Footings for Silos at Railway Street, Cloncurry Plan, Sections & Details	Job No. ZJ0848 Draw. No.S-01A	August 2008

b) The proposed development must comply with all Planning Scheme requirements as applying at the date of this application, except as otherwise specified by any condition of this approval.

c) One full set of the most up to date approved plans must be held on site, and available for inspection, for the duration of the construction phase.

d) A properly detailed site plan to Council's satisfaction clearly indicating amongst other things lay out, boundary set backs, orientation, access to the service road and siting of services.

2. Site Description

The applicant must provide a metes and bounds description of the area over which the application for which the Concrete Batching Plant is made prior to the commencement of building work.

3. Boundary Clearances

a) All buildings and structures for the proposed Concrete Batching Plant must be designed and sited in accordance with Boundary Clearances specified in the General Business and Industry Performance Criteria and Acceptable Solutions of the Planning Scheme .

4. Landscaping

a) Prior to any works commencing on the site a landscaping plan must be submitted to and approved by Council for compliance assessment against the General Business and Industry Performance Criteria and Acceptable Solutions of the Planning Scheme (namely A5.1 where landscaping is provided to a minimum depth of 3m to

the road frontage and 2m to all other boundaries).

b) The landscaping plan must include a list of mature trees that are to be incorporated in the landscaping which must be species which are native to the region.

c) The landscaping plans must be prepared by a suitably Qualified person who:
- **is a qualified Landscape Architect with current membership to the Australian Institute of Landscape Architects and/or,**
- **is an experienced Landscape Designer.**

5. Fencing

a) The subject land must be fenced in accordance the requirements of the General Business and Industry Performance Criteria and Acceptable Solutions of the Planning Scheme (namely A5.3 fences are a maximum of 1.2m in height if a solid construction and 1.8m in height if up to 50% transparent).

6. Building Height

a) Buildings must not exceed 20 metres above natural ground level.

7. Advertising

a) All advertising devices associated with the Concrete Batching Plant must comply with requirements of the General Business and Industry Performance Criteria and Acceptable Solutions of the Planning Scheme (namely A6.1 advertising devices included on awnings do not exceed 1.2m^2 and A6.2 advertising devices that are signs on building facades do not exceed 2.4m^2).

8. Car Parking & Access

a) All car parking and access associated with the Concrete Batching Plant must comply with the Car parking and Access Performance Criteria and Acceptable Solutions of the Planning Scheme.

b) Only one access point will be permitted from Railway Street to Lot 100 on RP881681. The point of access must be adjacent to the southern boundary of the subject land and adjacent to the common boundary of Lot 169 on SP142938. A service road to the Concrete Batching Plant must be constructed from the point where the crossover from Railway Street intersects with western boundary of the subject land to the proposed Concrete Batching Plant site. The service road must be situated completely within Lot 100 on RP 881681 and must be designed, constructed and maintained to a standard which is suitable for traffic associated with the Concrete Batching Plant and in accordance with Institute of Public Works Engineers of Australia standard drawings.

9. Water Supply

a) The Concrete Batching Plant must be serviced by Council's reticulated water network as required under the General Business and Industry Performance Criteria and Acceptable Solutions of the Planning Scheme.

Alternatively, at its discretion, Council may permit an alternative water supply arrangement if the applicant can demonstrate the proposed Concrete Batching Plant can be serviced by water from a reliable bore supply with water from that bore satisfying the microbiological requirements of the NH & MRC Australian Drinking Water Guidelines 2004. Verification of the water quality from the bore

must be provided a registered Microbiology Laboratory.

Prior to the commencement of the use, the applicant must put in place arrangements to the satisfaction of Council, to guarantee the Concrete Batching Plant will have unrestricted access to the bore water supply and associated pipeline at all times and for as long as the alternative water supply arrangement remains in place.

A Water Quality Assessment report prepared by a registered Microbiology Laboratory and a Ground Water Assessment Report prepared by a qualified Hydro-geologist must be provided to Council every 12 months from the date the use commences operation. Should the report contain adverse findings about the quality of the water form the bore supply or the extent of water supply availability then Council may revoke this arrangement and require the Concrete Batching Plant must be serviced by Council's reticulated water network.

10. Sewerage Reticulation

a) The development must be serviced by Council's reticulated sewerage network so as to achieve compliance with the General Business and Industry Performance Criteria and acceptable Solutions of the Planning Scheme.

Alternatively, at its discretion, Council may permit all sewerage and waste water to be disposed within the boundaries of the subject land if it can be demonstrated that such disposal can be achieved in accordance with the Queensland Plumbing and Waste Water Code, the Department of Natural Resources and Mines Approved On-site Sewerage Treatment Systems and to the satisfaction of Council. Under the Plumbing and Drainage Act 2002 application must be made to Council before any building work or installation of an on-site treatment plant can be carried out.

11. Electricity Supply

a) The development must be provided with connection to the reticulated electricity supply network so as to achieve compliance with General Business and Industry Performance Criteria and Acceptable Solutions of the Planning Scheme.

12. Telecommunication Supply

a) The development must be provided with connection to the telecommunications network where available so as to achieve compliance with General Business and Industry Performance Criteria and Acceptable Solutions of the Planning Scheme.

13. Relocation and Provision of Utilities

a) The developer must be responsible for any relocation and/or alteration to any public utility installation required as a result of any works carried out in connection with this development at no cost to Council.

14. Soil Erosion Minimisation, Sediment Control and Dust Control

a) During the construction phase of this development the developer must be responsible for the installation and maintenance of adequate erosion and sediment control management, so as to achieve compliance with the Filling and Excavation Code Performance Criteria and Acceptable Solutions of the Planning Scheme.

b) During the construction phase of this development the developer must be responsible for adequate mitigation measures being put in place for the suppression of dust so as

not to cause a nuisance to neighbouring property.

15. Stormwater Drainage

a) The development site must be graded so that it is free-draining. All runoff from storms naturally falling onto this development site (including roof runoff) must be collected within the property boundaries and discharged to the lawful point of discharge as agreed upon by Council. The developer must ensure that no ponding of stormwater occurs on adjacent allotments and that no stormwater formerly flowing onto this development site is diverted onto other neighbouring allotments.

b) Overland flow paths and underground drainage must be designed so as not to directly or indirectly cause nuisance to a downstream or adjoining property.

ENVIRONMENTALLY RELEVANT ACTIVITY CONDITIONS

<u>Schedule A - Activity</u>

Prevent and/or minimise the likelihood of environmental harm

(A1-1) In carrying out the environmentally relevant activities, you must take all reasonable and practicable measures to prevent and/or to minimise the likelihood of environmental harm, that, if carried out incompetently. Or negligently, may cause environmental harm, in a manner that could have been prevented, shall be carried out in a proper manner in accordance with conditions of this approval.

NOTE: This approval authorizes the environmentally relevant activity. It does not authorize environmental harm unless a condition contained within this approval explicitly authorizes that harm. Where there is no condition the approval is silent on a matter, the lack of a condition or silence shall not be construed as authorizing environmental harm.

Maintenance of measures, plant and equipment

(A2-1) The holder must:
- **install all measures, plant and equipment necessary to ensure compliance with the conditions of this environmental authority; and**
- **maintain such measure, plant and equipment in a proper and efficient condition at all times; and**
- **operate such measures, plan and equipment in a proper and efficient manner.**

Site Based Management Plan

(A3-1) From commencement of the activity, a Ste Based Management Plan (SBMP) must be implemented. The SBMP must identify all sources of environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. The SBMP must also provide for the review and continual improvement in the overall environmental performance of all Environmentally Relevant Activities (ERA's) that are carried out on the approved site.

The site based management plan must address the following matters:-
- **Environmental commitments – a commitment by management to achieve environmental goals;**
- **Identification of environmental issues and potential environmental impacts;**
- **Control measures routine operations to minimise the likelihood of environmental**

harm;
- **Contingency plans and emergency procedures for non-routine situations;**
- **Organisational structure and responsibilities thereunder;**
- **Effective communication;**
- **Monitoring of any contaminants releases;**
- **Conducting environmental impact assessments;**
- **Staff training;**
- **Record keeping;**
- **Periodic review of environmental performance and continual improvement.**

Integrated Environmental Management System

(A4-1) In the event that an integrated environmental authority is issued for these activities for this site, an Integrated Environmental Management System (IEMS) must be implemented. The IEMS must identify all sources of environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. The IEMS must also provide for the review and continual improvement in the overall environmental performance of all ERA's that are carried out.

Records

(A5-1) Record, compile and keep all monitoring results required by this document and present this information to the administering authority when requested, in a specified format.

End of Conditions for Schedule A

<u>Schedule B - Air</u>

Nuisance

(B1-2) The release of noxious or offensive odours or any other noxious or offensive airborne contaminants resulting from the activity must not cause a nuisance at any odour sensitive place.

Dust Nuisance

(B2-1) The release of dust and/or particulate matter resulting from the activity must not cause an environmental nuisance at any dust sensitive place.

(B2-2) Exceeding of any of the following levels when measured at any dust sensitive place is an environmental nuisance for the purpose of B2-2;
- **Dust deposition of 120mg/M^2/day, when monitored in accordance with Australian Standard AS 3580.10 1991; or**
- **A concentration of less than 150µg(PM_{10})/M^3/T_{24hr}, at a dust sensitive place down wind of the site, when monitored in accordance with;**
  - **AS3580.9.6 'Ambient Air – Particulate Matter – Determination of suspended particulates PM_{10} high volume sampler with size-selective inlet – gravimetric method' or**
  - **Any alternative method of monitoring PM_{10} that may be permitted by the 'Air Quality Sampling Manual' as published from time to time by the administering authority.**

(B2-3) When requested by the Administering Authority, dust and particulate monitoring must be undertaken to investigate any complaint of environmental nuisance caused by dust and/or particulate matter, and the results notified within 14 days to the administering

authority following completion of monitoring. Monitoring must be carried out at a place/s relevant to the potentially affected dust sensitive place and at upwind control sites and must include:

- **for a complaint alleging dust nuisance, dust deposition; and**
- **for a complaint alleging adverse health affects caused by dust, the concentration / M^3 / PM_{10} / t_{24hr}.**

End of Conditions for Schedule B

<u>Schedule C - Water</u>

Erosion protection measures and sediment controls

(C1-1) Erosion protection measures and sediment control measures must be implemented and maintained to minimise the release of sediment within 14 days of commencement of any approved activity on this site. The size of any sedimentation dam must be sufficient to contain the run-off expected from a 24hr storm with an average recurrence interval of 1 in 5 years.

(C1-2) Prevent the release of sediment to waters or a build up of sediment in any stormwater drain.

(C1-3) Water velocities through temporary watercourse diversions around works area must be maintained similar to pre-work velocities during such diversions, and must be re-instated once works are completed.

Release to waters

(C2-1) No release to waters or the bed of any waters are authorized by this development approval other than sediment as provided for in condition C1-1.

Stormwater management

(C3-1) There must be no release of stormwater runoff that has been in contact with any contaminants (other than sediment) at the site to any waters, roadside gutter or stormwater drain.

End of Conditions for Schedule C

<u>Schedule D – Noise and Vibration</u>

Noise nuisance

(D1-1) Noise from any activities approved on this site must not cause an environmental nuisance at any affected premises.

(D1-2) All noise from the approved activities must not exceed the levels specified in Schedule D – Table 1 at any noise affected premises.

Schedule D – Table 1 (Noise Limits)

Noise level dB(A) measured as	Monday to Saturday (Noise measured at noise sensitive premises)			Sundays and Public Holidays (Noise measured at noise sensitive premises)		
	7:00am – 6:00pm	6:01pm – 10:00pm	10:01pm – 7:00am	9:00am – 6:00pm	6:01pm – 10:00pm	10:01pm – 9:00am

LA10, adjusted , 10 mins	**bg + 5**	**bg + 5**	**bg + 0**	**bg + 5**	**bg + 5**	**bg + 0**
LA1, adjusted, 10 mins	**bg + 10**	**bg + 10**	**bg + 5**	**bg + 10**	**bg + 10**	**bg + 5**

Noise Monitoring

(D2-1) When requested by the Administering Authority, noise monitoring must be undertaken to investigate any complaint of noise nuisance, and the results notified within 14 days to the administering authority. Monitoring must include:
- **LA_{10}, adj, 10mins**
- **LA_1, adj, 10mins**
- **The level an frequency of occurrence of impulsive or tonal noise;**
- **Atmospheric conditions including wind speed and direction;**
- **Effects due to extraneous factors such as traffic noise; and**
- **Location, date and time of recording.**

(D2-2) The method of measurement and reporting of noise levels must comply with the latest edition of the Environmental Protection Agency's Noise Measurement Manual.

Vibration nuisance

(D3-1) Vibration emitted from activities must not exceed the levels specified in Schedule D Table 2 at any vibration sensitive place.

Schedule D – Table 2 (Vibration limits – Sensitive Place)

	Vibration measured at a 'Vibration Sensitive Place'
	Daylight hours
Houses and low rise buildings and commercial buildings not included below	**FORMTEXT 10mm/sec**
Commercial and industrial buildings or structures of reinforced concrete or steel	**FORMTEXT 25mm/sec**
For blasting operations	**Over blast of not greater than 115dBA**

Vibration Monitoring

(D4-1) When requested by the Administering Authority, vibration monitoring and recording must be undertaken to investigate any complaint of nuisance, and the results notified within 14 days to the administering authority. Monitoring must include:
- **peak particle velocity (mm/sec); and**
- **location of the blast/s within the site (including which bench level);**
- **atmospheric conditions including temperature, relative humidity and wind speed and direction; and**
- **the level and frequency of occurrence of impulsive or tonal noise;**
- **effects due to extraneous factors; and**
- **location, date and time of recording.**

End of Conditions for Schedule D

<u>Schedule E - Waste</u>

Waste handling

(E1-1) All regulated waste removed from site must be removed by a person who holds a current approval to transport such waste under the provisions of the Environmental Protection Act 1994.

(E1-2) Records must be kept for five years, and must include the following information:
- **date of pickup of waste;**
- **description of waste;**
- **cross reference to relevant waste transport documentation;**
- **origin of waste;**
- **destination of waste;**
- **intended fate of waste, for example, type of waste treatment, reprocessing or disposal.**

Note: Records of documents maintained in compliance with the waste tracking system established under the Environmental Protection Act 1994 or any other law for regulated waste will be deemed to satisfy this condition.

(E1-3) You must only use vehicles to transport regulated waste that are registered on the electronic database held by the administering authority (the licensed vehicles).

End of Conditions for Schedule E

<u>Schedule F - Land</u>

Land Rehabilitation

(F1-1) The authorised place must be rehabilitated (including all disturbed areas such as slopes, borrow pits, stock piles and screening areas) in a manner such that:
- **suitable native or naturalized species of vegetation are seeded or planted and established;**
- **potential for erosion of the site is minimised;**
- **the quality of stormwater, water and seepage released from the site is such that releases of contaminants such as suspended solids, turbidity, total dissolved salts, pH, total iron, total aluminium and total manganese are not likely to cause environmental harm;**
- **the likelihood of environmental nuisance being caused BT release of dust is minimised;**
- **the water quality of any residual water bodies meets criteriafor subsequent uses and does not have the potential to cause environmental harm; and**
- **the final landform is stable and nor subject to slumping.**

(F1-2) The authorised place must submit a final rehabilitation report providing evidence that condition F1-1 has been complied with within 12 months of final decommissioning of the site.

(F1-3) Rehabilitation of disturbed areas must take place progressively as works are staged and new areas of extraction are commenced.

Preventing contaminant release to land

(F2-1) Contaminants must not be released to land.

(F2-2) Spillage of all chemicals and fuels must be contained within an on-site containment system and controlled in a manner that prevents environmental harm.

Note: All petroleum product storage/s must be designed, constructed and maintained in accordance with AS1940 – Storage and Handling of Flammable and Combustible Liquids.

End of Conditions for Schedule F

Schedule G - Community

Complaint response

(G1-1) All complaints received must be recorded including investigations undertaken, conclusions formed and action taken. This information must be made available to the administering authority on request.

(G1-2) In consultation with the administering authority, cooperation with ant participate in any community environmental liaison committee established in respect of either the site specifically, or the industrial estate where the site is located.

End of Conditions for Schedule G

Schedule H - Definitions

Words or phrases used throughout this licence and/or development approval are defined below;

Where a definition for a term used in this approval is sought and the term is not defined within this approval the definition provided in the Environmental Protection Act 1994, its regulations and the Environmental Protection Policies shall be used.

Word Definitions

"Administering authority" means the Environmental Protection Agency or Local Government whom ever is the undersigned to the document.

"annual return" means the return required by the annual notice (under section 316 of the Environmental Protection Act 1994) for the section 86(2) license that applies to the development approval.

"Approval" means 'notice of development application decision' or 'notice of concurrence agency response' under the Integrated Planning Act 1997.

"Authorised Place" means the place authorised under this environmental authority/development approval for the carrying out of the specified environmentally relevant activity/s.

"authority" means level 1 licence (without development approval) or level 1 approval (without development approval) or level 2 approval (without development approval) under the Environmental Protection Act 1994.

"commercial place" means a place used as an office or for business or commercial purposes.

"dust sensitive place" means :-
- **a dwelling, mobile home or caravan park, residential marina or other residential place;**
- **a motel, hotel or hostel;**
- **a kindergarten, school, university or other educational institution;**
- **a medical centre or hospital;**
- **a protected area;**
- **a park or gardens; or**
- **a place used as an office or for business or commercial purposes and includes the cartilage of any such place.**

"dwelling" means any of the following structures or vehicles that is principally used as a residence:
- **a house, unit, motel, nursing home or other building or part of a building;**
- **a caravan, mobile home or other vehicle or structure on land;**
- **a water craft in a marina.**

"intrusive noise" means noise that because of its frequency, duration, level, tonal characteristics, impulsiveness or vibration and is:-
- **is clearly audible to or can be felt by an individual; and**
- **annoys the individual.**
  (In determining whether a noise annoys an individual and is unreasonably intrusive, regard must be given to AS1055.2 – 1997 Acoustics – Description and Measurement of Environmental Noise Part 2 – Application to specific Situations).

"LA_{10}, adj, 10mins" means the A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 10% of any 10 minute measurement period, using Fast Response.

"LA_1, adj, 10mins" means the A-weighted sound level pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 1% of any 10 minute measurement period, using Fast response.

"LA_{max}, adj, t" means the A-weighted sound pressure level, adjusted for noise character and measured over any 10 minute, using Fast Response.

"land" in the "land schedule" of this document means land excluding waters and the atmosphere.

"licensed vehicle" means a vehicle authorised to be used under the license to transport regulated waste.

"mg/l" means milligrams per litre (or parts per million).

"noise affected premises" means a "noise sensitive place" or a "commercial place".
"noise sensitive place" means:-
- **a dwelling, mobile home or caravan park, residential marina or other residential place;**
- **a motel, hotel or hostel;**
- **a kindergarten, school, university or other educational institution;**
- **a medical centre or hospital;**
- **a protected area;**
- **a park or gardens; or**

includes the cartilage of any such place.

"noxious" means harmful or injurious to health or physical well being.

"NTU" means nepthelometric turbidity units.

"nuisance sensitive place" includes:-
- **a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or**
- **a motel, hotel or hostel; or**
- **a kindergarten, school, university or other educational institution; or**
- **a medical centre or hospital; or**
- **a protected area under the Nature Conservation Act 1992, the Marine Parks Act 1992 or a World Heritage Area; or**
- **a public thoroughfare, park or gardens; or**

- **a place used as a workplace, an office or for business or commercial purposes (and includes a place within the cartilage of such a place reasonably used by persons at that place); or**
- **a place of worship.**

"odour sensitive place" has the same meaning as a "dust sensitive place".

"offensive" means causing offense or displeasure, is disagreeable to the senses, disgusting, nauseous or repulsive.

"$(PM_{10})/M^3/T_{24hr}$" means the concentration of particulate matter with an aerodynamic diameter of less than 10 micrometres (10µg) suspended in the atmosphere and measured as a given proportion of a cubic metre (M^3) over a twenty four hour (24hr) period.

"protected area" means:-
- **a protected area under the Nature Conservation Act 1992: or**
- **a marine park under the Marine Parks Act 1992: or**
- **a World Heritage Area.**

"regulated waste" means non-domestic waste mentioned in Schedule 7 of the Environmental Protection regulation 1998 (whether or not it has been treated or immobilized), and includes:-
- **for an element – any chemical compound containing the element ; and**
- **anything that has contaminated the waste.**

"registered vehicle" means a vehicle authorised to be used under the license to transport regulated waste.

"site" means the place to which this environmental authority relates or the premise to which this development approval relates.

"this authority" means this environmental authority/development approval.

"vibration sensitive place" means a noise sensitive place or a commercial place.

"waters" includes rivers, streams, lakes, lagoons, swamps, wetlands, unconfined surface waters, unconfined water natural or artificial, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter (and table drain) stormwater run-off and groundwater (confined or unconfined) and any part thereof.

"you" means the holder of the Environmental Authority or owner/occupier of the land which is subject to the development approval.

End of Conditions for Schedule H

ADVICE

1. Satisfaction of Approval Conditions

Unless explicitly stated elsewhere in this permit, all requirements of the conditions of this approval must be satisfied prior to the commencement of the use. Council may, at it's absolute discretion, agree to accept other forms of security to guarantee compliance with conditions to enable an early commencement of the use.

2. Limitation of Approval

The Council and its officers make no representations and provide no warranties as to the accuracy of the information contained in the application including its supporting material provided to it by the applicant.

The Council and its officers rely upon the applicant concerning the accuracy and completeness of the application and its supporting material and accept the application and supporting material as constituting a representation by the applicant as to its accuracy and completeness. Insofar as the application and its supporting material may be incomplete and/or inaccurate giving rise to any claim by a third party the applicant agrees to indemnity and save the Council harmless in respect of any claim so arising.
CARRIED 06.090217

9.6 Development Application TP20/08 Mac Services Group - Material Change of Use (Workers Accommodation) Lots 1, 2, & 3 Musgrave Street Cloncurry – Fees & Charges applicable to the Development Application

Moved: Cr McDonald **Seconded: Cr Campbell**
That resolution 40.080916 in respect of this matter be endorsed.
CARRIED 07.090217

9.7 Notice of Appeal Kelvin Condren DA TP04/08 Update

Noted by Council.

Ken Hicks & Associates was disconnected from the teleconference at 12:20pm.

9.8 Application for Permanent Road Closure Lot 80 on SP112345

Moved: Cr Daniels **Seconded: Cr McDonald**
That the application for the permanent road closure on Lot 80 on SP112345 not be approved.
CARRIED 08.090217

The Town Planning & Building Administration Officer left the Chamber at 12:25pm.

Council's Community Services Officer, Ian Smith, entered the Chamber and Mr Daniel Westall from Local Government Infrastructure Services was connected to the meeting via a teleconference at 12:30pm to provide to Council an overview of the upcoming water efficiency program for Cloncurry. Mr Westall was disconnected from the teleconference and the Community Services Officer left the Chambers at 12:40pm.

The meeting adjourned at 12:45pm and reconvened at 1:30pm, with all those previously in attendance present, with the exception of Cr Campbell.

The Manager of Operations, Tom Arnold, and the Manager Water, Sewerage & Environmental Health Services, Shane Noon, entered the Chamber at 1:30pm to provide their reports.

10.0 ENVIRONMENTAL HEALTH, WATER AND SEWERAGE REPORT

10.1 Water Report – Cloncurry

Noted by Council.

10.2 Water Report - Kajabbi

Noted by Council.

10.3 Water Report - Dajarra

Noted by Council.

10.4 Re-lift Pump Station – Cloncurry Water Supply

Noted by Council.

10.5 Sewerage Report - Cloncurry

Noted by Council.

10.6 Sewerage Report - Dajarra

Noted by Council.

Cr Campbell entered the Chamber at 1:58pm.

10.7 Environmental Health Report - General

Noted by Council.

10.8 Food Safety Programs

Noted by Council.

10.9 Cloncurry Waste Facility

Noted by Council.

10.10 Town dogs

Noted by Council.

10.11 Wild Dogs

Noted by Council.

10.12 Stock Routes

Noted by Council.

10.13 Mosquitoes

Noted by Council.

The Manager Water, Sewerage & Environmental Health Services left the Chamber at 2:15pm.

11.0 ENGINEERING (WORKS) REPORT

11.1 Works Report - General

Noted by Council.

11.2 Purchase of Second Ride-on Mower for Cloncurry

Moved: Cr Daniels **Seconded: Cr Vernon**
That the quotation from Honeycombes for a new John Deere X748 ride on mower/lawn tractor be accepted.

CARRIED 09.090217

11.3 Zingari Road Upgrade Project Status Report

Noted by Council.

The Manager of Operations left the Chamber at 2:33pm.

The Manager Community Development, Karen Elphick, entered the Chamber at 2:33pm to provide her report.

12.0 COMMUNITY DEVELOPMENT REPORT

12.1 Community Development Report - General

Noted by Council.

12.2 John Flynn Place Report January 2009

Moved: Cr Daniels **Seconded: Cr McDonald**
That Council receive and note the John Flynn Place Museum Report for the month of January 2009.
CARRIED 10.090217

12.3 Mary Kathleen Park Museum and Visitor Information Centre

Moved: Cr Vernon **Seconded: Cr McDonald**
That Council receive and note the Mary Kathleen Museum and Visitor Information Centre Report for the month of January 2009.
CARRIED 11.090217

12.4 Community Housing Report

Item in respect of rent review of community housing rents to be deferred to the next meeting.

Noted by Council.

12.5 Cloncurry Multifunctional Childcare Centre Report

Noted by Council.

12.6 Blue Care use of Florence Clarke Park

Noted by Council.

12.7 2009 Cloncurry Rotary Merry Muster Airshow

Noted by Council.

12.8 Youth Week 2009

Moved: Cr Daniels **Seconded: Cr Vernon**
That Council supports the 2009 Cloncurry Youth Week activities, including free entry to the pool (only during pool party on Sunday 29 March) and waiving bonds and fees associated with

the Shire Hall hire from Monday 30 March to Wednesday 1 April.
CARRIED 12.090217

The Manager Community Development left the Chamber at 3:10pm.

13.0 ADMINISTRATION REPORT

No report provided.

The Manager Administration & Finance, Susie Farrar, entered the Chamber at 3:12pm to provide her report.

14.0 FINANCE REPORT

14.1 Schedule of Payments – January 2009

Moved: Cr McDonald **Seconded: Cr Campbell**
That the payments as listed on the schedule of payments for the period 1 December 2008 to 31 January 2009 be noted.
CARRIED 13.090217

14.2 Financial Reports to 31 January 2009

Moved: Cr Vernon **Seconded: Cr Campbell**
That the financial reports for the seven months ended 31 January 2009 as provided be received.
CARRIED 14.090217

14.3 Financial Matters Report as at 31 January 2009

Noted by Council.

14.4 Queensland Treasury Corporation Cash Fund Account Statement January 2009

Noted by Council.

14.5 Outstanding Debtors - Alcoota Aboriginal Cattle Company Pty Ltd

Moved: Cr Daniels **Seconded: Cr Campbell**
That the request be declined.
CARRIED 15.090217

The Manager Administration & Finance left the Chamber at 4:05pm.

15.0 CORRESPONDENCE REPORT

15.1 Rotary Club of Cloncurry Inc, 1 October 2008 – 2009 Cloncurry Rotary Merry Muster

Moved: Cr McDonald **Seconded: Cr Daniels**
That permission be granted for the air show to be held at the Cloncurry Airport on 1 August 2009 that in kind support be provided for this event and that airport charges for the day be waived.
CARRIED 16.090217

15.2 Ernst & Young, 11 December 2008 – Matrix Metals Limited (Receivers & Managers appointed) (Administrators appointed)

Noted by Council.

15.3 Local Government Grants Commission, 12 December 2008 – 2008 Report from the Queensland Local Government Grants Commission

Noted by Council.

15.4 Department of Infrastructure and Planning, 15 December 2008 – Standard Infrastructure Charges Schedule (SICS)

Noted by Council.

15.5 The Hon Anthony Albanese MP, 16 December 2008 – Regional and Local Community Infrastructure Program (RLCIP)

Noted by Council.

15.6 Department of Local Government Sport and Recreation, 18 December 2008 – Performance Evaluation and Reporting Process

Noted by Council.

15.7 Cloncurry Gun Club, 22 December 2008 - Hire Fess of Racecourse 2007/08

Moved: Cr Campbell **Seconded: Cr McDonald**
That Council approve reimbursement of $750.00 for the Cloncurry Gun Club hire fees for 2007/08.
CARRIED 17.090217

15.8 Minister for Main Roads and Local Government, 22 December 2008 – Cloncurry Water Efficiency Program

Noted by Council.

15.09 Minister for Main Roads and Local Government, 22 December 2008 – Mount Isa Cluster Workshop

Noted by Council.

15.10 Crime and Misconduct Commission, 23 December 2008 – Crime and Misconduct Commission Review of Queensland's Police Move-on Powers

Noted by Council.

15.11 Concerned Animal Lover, 30 December 2008 – Dog Neglect

Noted by Council.

15.12 Premier of Queensland, 2 January 2009 – Right to Information Bill

Noted by Council.

15.13 Department of Communities, 5 January 2009 & Betty Kiernan MP, 7 January 2009 – National Youth Week funding

Noted by Council.

15.14 PCYC Cloncurry, 3 January 2009 – Tree planting in front of Youth Centre

Moved: Cr Daniels **Seconded: Cr McDonald**
That Council approves the Cloncurry PCYC planting a series of trees in the front of the Youth Centre.
CARRIED 18.090217

15.15 Department of Local Government, Sport and Recreation, 9 January 2009 & Department of Main Roads 14 January 2009 – Natural Disaster Relief and Recovery Arrangements (NDRRA)

Noted by Council.

15.16 Department of Natural Resources and Water, 9 January 2009 & Cloncurry Shire Council to Mr R Dick, 22 January 2009 – North West Queensland Regional Water Supply Strategy – Urban Water Demand Study

Noted by Council.

15.17 MITEZ Inc, 9 January 2009 – MITEZ Investment Guide for your Shire

Noted by Council.

15.18 Central Hotel Cloncurry, 13 January 2009 – Disabled ramp on Sheaffe Street footpath

Noted by Council.

15.19 LGAQ, 13 January 2009 – Local Government Workcare Bank Guarantee

Moved: Cr McDonald **Seconded: Cr Daniels**
That the execution by Council of the Local Government Workcare bank guarantee as provided be approved.
CARRIED 19.090217

15.20 Foundation for Public Works Engineering Queensland, 13 January 2009 – Public Works Engineering Foundation Queensland

Moved: Cr Daniels **Seconded: Cr Vernon**
That Council do not become a member of the Public Works Engineering Foundation Queensland.
CARRIED 20.090217

15.21 Department of Mines and Energy, 22 January 2009 – Application for renewal of Mining Lease 5553

Noted by Council.

15.22 Department of Infrastructure, Transport, Regional Development and Local Government, 29 January 2009 – SP397 Cloncurry Community Precinct

Moved: Cr Vernon **Seconded: Cr Campbell**
That the Cloncurry Community Precinct project proposal be agreed to in principle, noting that final concept, design and financial considerations need to be presented back to Council for final approvals should the project proceed.
CARRIED 21.090217

15.23 Cloncurry Amateur Swimming Club, 29 January 2009 – Cloncurry Swimming Club Pool Access Fees

Moved: Cr McDonald **Seconded: Cr Campbell**
That the structure for the Cloncurry Amateur Swimming Club to access the Cloncurry Swimming Pool in 2008/09 remains as set by Council in their 2008/09 schedule of fees and charges.
CARRIED 22.090217

15.24 Maunsell Australia Pty Ltd, 5 January 2009 – Annual Inspection of Chinaman Creek Dam

Noted by Council.

15.25 National Native Title Tribunal, 28 January 2009 – Letter Re Application for Registration on the Register of Indigenous Land Use Agreements: Trekelano Term Lease ILUA Q12008/012

Noted by Council.

15.26 Queensland Treasury Corporation, 17 November 2008 – Financial Sustainability in Queensland Local Government – Findings and Recommendations

Noted by Council.

Ernst & Young, 30 January 2009 – Receivers and Managers appointed to MacAir & McLeod & Partners, 30 January 2009 – First Report to Unsecured Creditors – MacAir Airlines Pty Ltd

Noted by Council.

15.28 Barrick Osborne Pty Ltd, 30 January 2009 – Osborne Mine – Review of Operational Plan

Noted by Council.

15.29 Cloncurry Amateur Swimming Club, 3 February 2009 – Sponsorship of Cloncurry Swimming Club Annual Carnival

Moved: Cr Daniels **Seconded: Cr Vernon**
That Council sponsor the Cloncurry Swimming Club 2009 Carnival to the amount of $1,000.00 plus 10 events and provide free access on the day.
CARRIED 23.090217

15.30 The Cloncurry Stockman's Challenge & Campdraft Association

Moved: Cr McDonald **Seconded: Cr Campbell**
That Council sponsor the Cloncurry Stockman's Challenge and Campdraft to the estimated amount of $5,000.00 in kind through venue hire, pre-cleaning, etc.
CARRIED 24.090217

15.31 Blue Care, 30 January 2009 – Use of Florence Clarke Park 20 June 2009

Moved: Cr McDonald **Seconded: Cr Vernon**
That approval be given to Blue Care to use at no charge Florence Clarke Park on 20 June 2009 for a fete subject to the park being cleaned up after the fete and the use not damaging the park surface.
CARRIED 25.090217

15.32 Cloncurry Playgroup, 13 February 2009 – Use of Florence Clarke Park 25 March 2009

Moved: Cr Campbell **Seconded: Cr Vernon**
That approval be given to the Cloncurry Playgroup to use at no charge Florence Clarke Park on 25 March 2009 for 'Playgroup in the Park' subject to the park being cleaned up after the event and the use not damaging the park surface.
CARRIED 26.090217

16.0 IN COMMITTEE MATTERS

No report provided.

17.0 GENERAL BUSINESS

⇒ *Fuel tanks quotes*
⇒ *Fence quotes*
⇒ *House quotes*
⇒ *Proposal for use of Charlotte Scott House*
⇒ *Old paintings*
⇒ *Security cameras*
⇒ *Council's vacant land*

18.0 LATE ITEMS REPORT

No report provided.

The meeting concluded at 5:08pm.