CLONCURRY SHIRE COUNCIL
ORDINARY MEETING MINUTES
7 April 2010

Minutes of the Ordinary Meeting of the Cloncurry Shire Council held in the Council Chambers, Cloncurry on Tuesday 7 April 2010.

1.0 OPENING OF MEETING

The meeting opened at 8:17am.

2.0 PRESENT

Cr Andrew Daniels (Mayor; Cr Colin Ferguson Cr Bob McDonald; Mr Graham King (Chief Executive Officer); and Miss Robyn Smith (Minute Clerk).

3.0 LEAVE OF ABSENCE/CONDOLENCES

Apologies were received from Cr Greg Campbell (Deputy Mayor) and Cr Lynne Vernon.

4.0 DEPUTATIONS

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

⇒ *Mrs Chris Chaplain would be attending the meeting at 12:30 pm to provide Council with a presentation on the Cloncurry Show Society.*

5.0 MAYOR'S REPORT

Cr Daniels provided a verbal report. Items discussed included:

Moved: Cr McDonald **Seconded: Cr Ferguson**
That Council confirm the action of the Mayor in submitting the Cloncurry Bulk Mineral Load-out Facility Masterplan project proposal to MITEZ for consideration for funding under the Queensland Regional Development Initiative.
CARRIED: 01.100407

6.0 COUNCILLORS' REPORTS

⇒ *Cr Ferguson:* - Thank you for the road repair out from Phillips Smiths Transport
⇒ *Cr McDonald:* - Activity on Devoncourt Road

7.0 CONFIRMATION OF MINUTES

7.1 Minutes from the Ordinary Meeting on 2 March 2010

Moved: Cr McDonald **Seconded: Cr Ferguson**
That the minutes of the Ordinary Meeting held on 16 March 2010 be confirmed.
CARRIED: 02.100407

8.0 ITEMS DEFERRED FROM PREVIOUS MEETINGS

No report provided

Council's Town Planning and Building Administration Officer, Mrs Karen Bowman and Ms Larinda Turrell entered the Chambers at 8:38am.

9.0 TOWN PLANNING, BUILDING & DEVELOPMENT REPORT

9.1 Development Application TP11/09- Reconfiguration of a Lot Residential Subdivision (1 into 4 allotments)Lot 67 on BD115 Dutton & McIlwraith Street Cloncurry

Council resolved to defer item 9.1 until the next meeting of Council

9.2 Development Application TP2/10 Development Permit for Material Change of Use Commercial Use (Office) and Multiple Dwelling (Accommodation Units & Caretakers Residence) Lot 1 on CP905871 1McIlwraith Street Cloncurry

Moved: Cr McDonald **Seconded: Cr Ferguson**

The Development Application for Material Change of Use Commercial Use (Office) and Multiple Dwelling (Accommodation Units & Caretakers Residence) on land at 1 McIlwraith Street, Cloncurry and described as Lot 1 on CP905871 for Cudeco Ltd, be approved subject to conditions.

DEVELOPMENT PERMIT
MATERIAL CHANGE OF USE
COMMERCIAL USE (OFFICE) AND MULTIPLE DWELLING
(ACCOMMODATION UNITS & CARETAKERS RESIDENCE)
SCHEDULE OF CONDITIONS

1. Approved Plans

a) The development must generally comply with the approved plans 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
Site Plan of Lot 1 on CP905871	094791-02-Rev1	15 February 2010
4.0x3.0m Laundry	091222C-01 to 091222C-05	8 February 2010
7.5x3.5m Park Cabin	091222B-01 to 091222B-05	8 February 2010
26.7x14.4m Building	091222A-01 to 091222A-03	8 February 2010

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.

2. Commercial Use

a) The commercial use (office) must be for the administrative function associated with the Rocklands Group Project mine and the on-site accommodation management.

3. Boundary Clearances

a) All buildings and structures for Lot 1 on CP905871 shall be designed and sited generally in accordance with the approved plans.

4. Privacy

a) The accommodation units must accord with Performance Criteria P9 of the Multiple Dwelling Code where the privacy of adjoining dwellings must be maintained.

b) The design of the accommodation units must be amended to include a privacy screen on the veranda opposite the stairs leading to the unit.

c) The developer must submit revised proposal plans to Council for endorsement prior to a Development Permit being issued for Building Works.

5. Landscaping

a) A densely planted landscape buffer designed to a minimum of 2m in depth must be provided to all property boundaries. The landscaping buffer must be designed by a suitably qualified professional and include plant species which are native to the locality.

b) The Site Plan must be amended to provide screening of car parking spaces to McIlwraith Street. Screening is to include car parking spaces adjoining the office building and any car parking spaces created as a result of Condition 7.

c) The development must submit revised proposal plans to Council for endorsement prior to a Development Permit being issued for Building Works.

6. Screen Fencing

a) The developer must provide a fence along all property boundaries in accordance with the approved Site Plan.

b) The screen fence must be erected prior to the commencement of the use and maintained thereafter to the satisfaction of Council.

7. Car Parking

a) All car parking facilities, associated ramps and driveways must be constructed in accordance with the Car Parking & Access Code and maintained thereafter to the applicable standard.

b) The developer must provide a minimum of thirty-four (34) car parking spaces on site being twenty-one (21) for the multiple dwelling and thirteen (13) for the commercial use.

8. Refuse Facilities

a) Refuse disposal and storage areas are screened by a solid fence a minimum of 1.2m in height and are not visible from McIlwraith Street.

9. Building Height

a) Buildings do not exceed 2 storeys in height or 8.5 metres above natural ground level.

10. Signage

a) Advertising devices are a maximum of 1 m² in size and are not illuminated.

11. Hours of Operation

a) The commercial use associated with the mine operation must operate between the hours of 7am and 6pm 6 days a week.

12. Water Supply

a) The development must be connected and serviced by Council's reticulated water supply network.

13. Water Network Analysis

a) A network analysis, prepared by an appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ), must be provided prior to Council for approval as part of the Development Permit for Operational Works. The water network analysis must demonstrate that a minimum pressure of 22m (including provision for minimum fire fighting pressure) is available at the most disadvantaged building located on-site detailing stages if required at which trunk components of the network should be implemented to achieve those pressures.

14. Sewerage

a) The development must be serviced by Council's reticulated sewerage network so as to achieve compliance with the Residential Planning Area Performance Criteria and Acceptable Solutions and Schedule 2 of the Planning Scheme.

b) A single property service to connect directly to Council's sewer network must be provided before the use commences

15. Electricity and Telecommunication Supply

a) The development must be provided with connection to the reticulated electricity supply network.

b) The development must be provided with connection to the telecommunications network.

c) A Certification of compliance must be provided from the relevant authority prior to the commencement of the use.

16. Roadworks

a) The developer must close and remove the existing vehicle access on McIlwraith Street (western) including crossovers and kerb and channel and replace with new kerb and channel and reinstate the footpath and landscaping in this location.

17. 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.

18. 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 Acceptable Solution A2.1 of the Filling and Excavation Code.

b) During the construction phase 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 any adjoining property.

19. Stormwater Drainage

a) Certification by an appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) of the following requirements must be submitted to and endorsed by Council prior to a Development Permit being issued.

b) The development site must be graded so that it is free-draining. All run-off from storms naturally falling onto this development site (including roof runoff) must be collected within the property boundaries and discharged to a lawful point of discharge agreed to by Council.

c) The developer must ensure that no ponding of stormwater occurs on adjacent allotments and that no stormwater formerly flowing onto the development site is diverted onto other neighbouring allotments.

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

20. Building Platform

a) Each habitable building must be situated on a platform, a minimum height of 200mm above the Average Recurrence Interval (ARI) 100 year storm event.

ADVICE

Payment of Rates, Charges and Expenses

a) Prior to the commencement of the use, payment is required of any outstanding rates or charges levied by the Council or any expenses being a charge over the subject land.

Satisfaction of Approval Conditions

a) 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.

Limitation of Approval

a) 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.

Ancillary on Site Activities

a) All ancillary on-site activities (office, caretakers residence, storage shed) must only be used in association with the Multiple Dwelling (Accommodation Units) and not for any purpose associated with an activity external to the subject land.

Department of Transport and Main Roads (Concurrent Agency)

a) No requirements (Copy of Department of Transport and Main Roads advice attached).
CARRIED: 03.100407

9.3 Development Application TP06/10 - Reconfiguration of a Lot Rural Residential Subdivision (1 into 4 allotments)Lot 18 on RP703330 36 Griffith Street Cloncurry

Moved: Cr Daniels Seconded: Cr McDonald
The development application for a Development Permit for Reconfiguring a Lot (1 into 4 allotments) on land at 36 Griffith Street, Cloncurry which is described as Lot 18 on RP703330 for Kenneth Lawlor be approved subject to the imposition of the following conditions.

DEVELOPMENT PERMIT
RECONFIGURING A LOT - (1 INTO 4 ALLOTMENTS)
SCHEDULE OF CONDITIONS

2. Site Layout

a) The development must generally comply with the Proposed Reconfiguration Plan of Lot 18 on RP703330 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 Plan of Lot 18 on RP703330	09.13501	17.12.2009

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.

3. Boundary Clearances

a) All buildings and structures shall be designed and sited in accordance with Schedule 1 – Boundary Clearances for Dwellings and Associated Buildings and Structures of the Planning Scheme.

4. Fencing

a) A screen fence shall be constructed the full length of the proposed property boundary between all allotments.

b) The screen fence must be erected prior to signing of the plan of survey and maintained thereafter to the satisfaction of the Council.

5. Building Height

a) Buildings do not exceed 2 storeys in height or 8.5 metres above natural ground level.

6. Water Supply

a) The development must be serviced by Council's reticulated water supply network so as to achieve compliance with Acceptable Solution A8.1 of the Reconfiguring a Lot Code.

b) Each allotment must be provided with a single property service, to be connected directly and separately to Council's system prior to signing the survey plan.

7. Sewerage Disposal

a) An appropriate on-site sewerage and waste water disposal system shall be installed within the boundaries of all allotments. The system shall demonstrate 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.

8. Electricity and Telecommunication Supply

a) The development must be provided with connection to the reticulated electricity supply network so as to achieve compliance with Acceptable Solution A8.5 of the Reconfiguring a Lot Code.

b) The development must be provided with connection to the telecommunications network where available so as to achieve compliance with Acceptable Solution A8.6 of the Reconfiguring a Lot Code.

c) A certification of compliance must be provided from the relevant authority prior to the sealing of the plan of survey or prior to the commencement of the use of the development whichever occurs first.

8. 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.

9. 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 Acceptable Solution A2.1 of the Filling and Excavation Code.

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.

10. 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 must be designed so as not to directly or indirectly cause nuisance to a downstream or adjoining property.
Drainage easements must be provided over the defined open drainage paths on the proposed allotments. The easement documents must be submitted to and be endorsed by the Chief Executive Officer and registered in accordance with the Land Title Act 1994.

11. Building Platform

a) A suitable building platform in accordance with Acceptable Measure A7.1 of the Rural Residential Planning Area Code shall be provided.

ADVICE

1. Payment of Rates, Charges and Expenses

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

2. Satisfaction of Approval Conditions

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

3. Limitation of Approval

a) 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.
CARRIED: 04.100407

9.4 Application to Purchase Lease over Lot 6 on CP905688 Parish of Quilalar

Moved: Cr McDonald Seconded: Cr Ferguson
The development application for Purchase of Lease over Lot 6 on CP905688 be approved.
CARRIED: 05.100407

9.5 Consent for surface area over Fisher Creek Road on Lot 4105 on PH2186

Moved: Cr Ferguson Seconded: Cr McDonald
The request for consent to allow the road reserve of Fisher Creek Road as part of the mining lease be refused.
CARRIED: 06.100407

The Town Planning and Building Administration Officers, left the Chambers at 9:02 am.

The Manager Environmental Health, Water & Sewerage Services, Shane Noon, entered the Chambers at9:04 am to provide his report.

10.0 ENVIRONMENTAL HEALTH, WATER AND SEWERAGE REPORT

10.1. Water Report - Cloncurry

Moved: Cr McDonald **Seconded: Cr Ferguson**
That the Dam Comprehensive tender be awarded to Aecom at their tendered price of $20,370.00 (excl GST).
CARRIED: 07.100407

10.2. Water Report – Mains Replacement

Noted by Council.

10.3. Water Report - Kajabbi

Noted by Council.

10.4. Water Report - Dajarra

Noted by Council.

10.5. Water Report Pipeline

Moved: Cr McDonald **Seconded: Cr Ferguson**
That Shane Noon, Manger of Environmental Health, Water and Sewerage Services is to investigate costs into water treatment for Cloncurry.
CARRIED: 08.100407

10.6. Sewerage Report - Cloncurry

Noted by Council.

10.7. Sewerage Report - Dajarra

Noted by Council.

10.8. Sewerage Report – Mitakoodi Pump Station

Moved Cr Daniels **Seconded: Cr Ferguson**
That Council accepts the quotation of $47,064.05 (incl GST) from GMS and under take the works to install the new pump station and fence.
CARRIED: 09.100407

The Manager Environmental Health, Water & Sewerage Services, left the Chambers at 9:48 am.

11.0 ENGINEERING (WORKS) REPORT

Deferred until later in the meeting.

Item 14.0 was brought forward for discussion

The Rates Officer, Miss Jody Hooper, entered the Chambers at 9:50am to provide her report.

14.0 FINANCE REPORT

14.1 Review of service charges – Suzy's Gym - Assessment 00387-00000-000

Moved: Cr Daniels **Seconded: Cr Ferguson**
That Council advises Ms Lawlor that Council has reviewed the charges for 36 Short Street and that water and sewerage charges have been calculated in accordance with Council's Revenue Policy.
CARRIED: 10.100407

14.2 Review of service charges – Roadrunner Roadhouse - Assessment 00695-00000-000

Moved: Cr Daniels **Seconded: Cr Ferguson**
That Council advises Mrs Lawlor that Council has reviewed the charges for 25 McIlwraith Street and that water and sewerage charges have been calculated in accordance with Council's Revenue Policy and that no refund of charges is applicable.
CARRIED: 11.100407

The Rates Officer left the Chambers at10:06 am.

The Manager Community Development, Karen Elphick, entered the Chambers at 11:55.am to provide her report.

12.0 COMMUNITY DEVELOPMENT

12.1 Request for Financial Assistance – Cloncurry Country Women's Association

Moved: Cr Ferguson **Seconded: Cr Daniels**
That Council donates refreshments as discussed during the report to the RSL and donates $200.00 to the Country Women's Association.
CARRIED: 12.100407

12.2 Recreation Ground Masterplan

Moved: Cr Daniels **Seconded: Cr McDonald**
That Council adopt the Cloncurry Recreation Ground Masterplan incorporation Cloncurry Equestrian Centre.
CARRIED: 13.100407

12.3 Cloncurry Pony Club – Funding Request

Moved: Cr Ferguson **Seconded: Cr McDonald**
That the Mayor and Cr Ferguson be appointed delegated authority on the grant application after discussions held with the pony club and any decision be confirmed at the next council meeting.
CARRIED: 14.100407

12.4 Cloncurry Stockman's Challenge Sponsorship Agreement

Moved: Cr Daniels **Seconded: Cr McDonald**
That Council support the Stockman's Challenge as Platinum Sponsor to the total of $17,337.65. plus restoration costs to be determined.
CARRIED: 15.100407

The Manager Community Development left the Chambers at 10:50am.

The meeting adjourned at 10:55 am and reconvened at 11:25 am.

13.0 ADMINISTRATION REPORT

13.1 LGAQ HR Advance system

Moved: Cr McDonald **Seconded: Cr Ferguson**
That Council approves Council's subscription for two Licences to the HR Advance Program.
CARRIED: 16.100407

13.2 Council Webpage

Moved: Cr Ferguson **Seconded: Cr Daniels**
That Council accept the quotation of $15,180.00 from Resolute Information Technology to upgrade to the new online Council Business Centre & Content Management System. (Website).
CARRIED: 17.100407

15.0 CORRESPONDENCE REPORT

Deferred until later in the meeting.

17.0 CHIEF EXECUTIVE OFFICER REPORTS

17.1 Local Government Act 2009 – Implementation of Statutory Requirements

Noted by Council.

17.2 Heavy Vehicle Bypass Stage 2 Fee Proposal for Feasibility Study

Moved Cr McDonald **Seconded: Cr Ferguson**
That Council approve funding up to $22,500 being up to half the cost of carrying out a feasibility study for Stage 2 Heavy Vehicle Bypass Feasibility Study.
CARRIED: 18.100407

17.3 Cloncurry Natural Disaster Relief and Recovery Arrangements – Project Completion Date 20 June 20100 – Project No. 10038-07-037

Moved: Cr McDonald **Seconded: Cr Daniels**
That Cloncurry Shire Council:

Approve the program of works totalling $8,165,325 set out in the Sub-Agreement for Cloncurry Shire Council Natural Disaster Relief and Recovery Arrangements and approve Council's contribution of $50,000 being Council's trigger point;

Advise the Department of Infrastructure and Planning that works are ready to proceed; and further

That Council authorise the Mayor and CEO to sign the Sub-Agreement as provided by the Department of Infrastructure and Planning for such works.
CARRIED: 19.100407

17.4 Development of Corporate Plan

Moved: Cr Ferguson Seconded: Cr McDonald
That due to the need for Council to complete a Community Plan by December 2011 which will inform all strategic planning including Council's corporate and operational plans, Council extends its existing Corporate Plan to June 2011, with the additional strategy for disaster management, aged services, transport hub, power upgrade, town beautification and partnerships with the mining industry as set out in this report.
CARRIED: 20.100407

15.0 CORRESPONDENCE REPORT

15.1 General Documents/Correspondence received.

Noted by Council.

15.2 Australian Local Government Association, 17 March 2010 – 2010 National General Assembly of Local Government – Call for Motions

Noted by Council.

15.3 Minister for Local Government and Aboriginal Torres Strait Islander Partnerships, Hon Desley Boyle MP, 18 March 2010 – Natural Disaster Relief & Recover Arrangements Grant Assistance

Noted by Council.

15.4 Department of Employment, Economic Development and Innovation, 23 March 2010 – Queensland Regional Development Initiative

Noted by Council.

15.5 Department of Infrastructure and Planning – Jo Stephenson , 22 March 2010 – Meeting with Elected Officials

Noted by Council.

15.6 Betty Kiernan MP, 25 March 2010 – Queensland Government's Community Memorials Restoration Program

Noted by Council.

15.7 Queensland Ombudsman, 31 March 2010 – Queensland Ombudsman Launches Regional Posters

Noted by Council.

15.8 Local Government Association of Queensland, 16 March 2010 – LGAQ Executive Endorses Development of Action Plan for Resources Communities

Noted by Council.

15.9 Cloncurry Mini School & Sports Association, 25 March 2010 – Request to Waiver Swimming Carnival Fees

Council resolved to waive the swimming carnival fees of $40.00

15.10 North Queensland Helicopter Rescue Service Inc, 5 March 2010 – Support Request from Regional Councils

Council resolved to allocate $15,000.00 towards the North Queensland Helicopter Rescue Service in the2010/2011 Budget.

15.11 Lobbyists Code of Conduct Approved by Integrity Commissioner

Noted by Council.

15.12 Cloncurry Shire Council – Town Planning Review

Noted by Council.

The deputation from the Cloncurry Show Society, Chris Chaplain and Mrs Nina Sandral ,Council's Community Services Officer, entered the meeting at 12:40pm to discuss Council's in-kind support.

The meeting adjourned at 1:00pm and reconvened at 1:28pm.

The Manager of Operations, Mr Tom Arnold, entered the Chambers at 1:28pm to provide his report.

11.0 ENGINEERING (WORKS) REPORT

11.1 Works Report – General

Noted by Council.

11.2 2009-01 Tender for Self Bunded Fuel Tank at Depot

Moved Cr Daniels Seconded Cr Ferguson
That the tender be awarded to Ausfuel, for their tendered price of $91,300.00 (Incl GST) be accepted.
CARRIED: 21.100407

11.3 Cloncurry Construction P/L – Application for Route Specific Permit

Moved Cr Daniels Seconded: Cr McDonald
That Council approve the requested route from Cloncurry Constructions of East of the Cloncurry River Bridge, West of Musgrave Street, North of Phillip Street and South of Hensley Drive for the use of their forklift.
CARRIED: 22.100407

The Manager of Operations left the Chambers at 1:48pm.

The meeting concluded at 1:50pm