CLONCURRY SHIRE COUNCIL
ORDINARY MEETING MINUTES
7 July 2009

Minutes of the Ordinary Meeting of the Cloncurry Shire Council held in the Council Chambers, Cloncurry on Tuesday 7 July 2009.

1.0 OPENING OF MEETING

The meeting opened at 8.12am.

2.0 PRESENT

Cr Andrew Daniels (Mayor); Cr Greg Campbell (Deputy Mayor); Cr Colin Ferguson; Cr Bob McDonald; Cr Lynne Vernon; Mr Craig Turnour (Chief Executive Officer); and Miss Robyn Smith (Minute Clerk)

3.0 LEAVE OF ABSENCE/CONDOLENCES

Condolences were offered to the family of Mr Harry Grant on his recent passing.

4.0 DEPUTATIONS

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

⇒ *Teleconference with Ken Hicks & Associates and MacDonnells Law re planning matters.*
⇒ *Representatives from Tennant Resources and the EPA re Coppermine Creek;*
⇒ *Mr Mike Westerman, General Manager Ernest Henry Mine*

5.0 MAYOR'S REPORT

Cr Daniels provided a verbal report. Items discussed included:- Cloncurry Show - high numbers and great fireworks; Acting Governor's visit; Rockhana; Cannington visit to meet new manager; Airport Qantas Hanger refurbishments; Kalkadoon ILUA meeting in Mount Isa; Manfred Boldy planning meeting and issues; Dajarra's water issues; proposed new industrial area; proposed new Bypass Road; Council Art collection; Visit by Deputy Premier and Betty Kiernan 1 July (and Health DG); and upcoming MITEZ meeting in Hughenden 24 July

6.0 COUNCILLORS' REPORTS

⇒ *Cr Ferguson:- Lions Club changeover meeting 6 July and certificate of appreciation to Council*
⇒ *Cr Campbell:- NW Regional Plan*
⇒ *Cr McDonald:- Meeting with Osborne*
⇒ *Cr Vernon:- Rockhana, historical items/letters*

7.0 CONFIRMATION OF MINUTES

7.1 Minutes from Ordinary Meeting on 9 June 2009

Moved: Cr McDonald **Seconded: Cr Daniels**
That the minutes of the Ordinary Meeting held on 9 June 2009 be confirmed.
CARRIED 01.090707

7.2 Minutes from Special Meeting on 23 June 2009

Moved: Cr Vernon **Seconded: Cr Daniels**
That the minutes of the Special Meeting held on 23 June 2009 be confirmed.
CARRIED 02.090707

8.0 ITEMS DEFERRED FROM PREVIOUS MEETINGS

No report provided.

The Town Planning & Building Administration Officer, Karen Bowman, entered the Chamber at 8:57am to provide her report.

9.0 TOWN PLANNING, BUILDING & DEVELOPMENT REPORT

9.1 Renewal of Special Lease 13 51258 McMillan Pastoral

Moved: Cr McDonald **Seconded: Cr Campbell**
That the application for renewal of special lease SL13/51258 over Lot 12 on CPBD121 be approved.
CARRIED: 03.090707

9.2 Eric & Helena Ballard Boundary Dispensation

Moved: Cr Campbell **Seconded: Cr Vernon**
That the application for boundary dispensation for the veranda over Lot 110 on C1961 located at 67 Phillip Street be approved.
CARRIED: 04.090707

9.3 Infrastructure Planning Scheme Policies

Noted by Council.

9.4 Draft North West Regional Planning Scheme

Noted by Council.

9.5 Cloncurry Town Site Structure Plan Study

Noted by Council.

Mr Robert Henwood from Council's Consulting Planners, Ken Hicks & Associates, was connected to the meeting via a teleconference at 9.06am.

18.4 TP04/09 Lloyd Energy Systems Pty Ltd MCU – Solar Thermal Power Plant Demonstration Located at 48 McIlwraith Street, Cloncurry, Lot 24 on BD209

Deferred until later in the meeting.

Ken Hicks & Associates were disconnected from the meeting at 9:12am.

The Town Planning & Building Administration Officer left the Chamber at 9:25am.

The Manager of Operations, Tom Arnold, entered the Chamber at 9:27am to provide his report.

The Manager Environmental Health, Water & Sewerage Services, Shane Noon, entered the Chamber

at 9:31am to provide his report.

18.1 Chinaman Creek Dam Recreation Area Irrigation

Deferred until further details are obtained and options are explored.

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.

10.7 Environmental Health Report - General

Noted by Council.

10.8 SPERS

Noted by Council.

10.9 New Cats and Dog Legislation

Noted by Council.

10.10 Cloncurry Waste Facility

Noted by Council.

10.11 Town Dogs

Noted by Council.

10.12 Wild Dogs

Noted by Council.

10.14 Inspection Program

Noted by Council.

The Manager Environmental Health, Water & Sewerage Services left the Chamber at 10:50am.

The meeting adjourned at 10:52am and reconvened at 11:12am, with all those previously in attendance present.

11.0 ENGINEERING (WORKS) REPORT

11.1 Works Report - General

Noted by Council.

11.2 Zingari/Ernest Henry Mine Road Upgrade Project Status Report

Noted by Council.

The Manager of Operations left the Chamber at 11:33am.

The Town Planning & Building Administration Officer, Karen Bowman, entered the Chamber at 11:35 am to discuss item 18.4 and left the Chamber at 11:50am.

The Manager Community Development, Karen Elphick and Community Development Officer, Ian Smith, entered the Chamber at 11:55am to provide the report on item 18.2

18.2 Jim Telford Memorial Rotary Airshow 2 August 2009

Noted by Council.

The Manager Community Development and the Community Development Officer left the Chamber at 12:22pm.

Representatives from Tennant Resources and the EPA re Coppermine Creek entered the Chamber at 12:22pm to provide Council will an update on the cleanup of Coppermine Creek. The Manager Environmental Health, Water & Sewerage Services and the Manager of Operations were also in attendance.

The meeting adjourned at 12:53pm and reconvened at 1:22pm, with all Councillors, the Chief Executive Officer and the Minute Clerk, in attendance.

The Town Planning & Building Administration Officer, Karen Bowman, entered the Chamber at 1:18pm to present the report on item 18.4.

Mr Steve Hollis from Lloyd Energy was connected to the meeting via a teleconference at 1:23pm. Lloyd Energy was disconnected from the meeting at 1:34pm.

18.4 TP04/09 Lloyd Energy Systems Pty Ltd MCU – Solar Thermal Power Plant Demonstration Located at 48 McIlwraith Street, Cloncurry, Lot 24 on BD209

Moved: Cr McDonald **Seconded: Cr Campbell**
The development application for a Development Permit for Solar Thermal Power Plant (Demonstration Plant) located at 48 McIlwraith Street, Cloncurry which is described as Lot 24 on BD209 for Lloyd Energy Systems Pty Ltd be approved subject to the imposition of the following conditions:

DEVELOPMENT PERMIT

MATERIAL CHANGE OF USE (IMPACT ASSESSABLE)
SOLAR THERMAL POWER PLANT (DEMONSTRATION PLANT)
SCHEDULE OF CONDITIONS

1. Site Layout

a) The proposed development must generally comply with plans prepared SMEC AUSTRALIA PTY LTD, LLOYD ENERGY SYSTEMS AND BRANDI PROJECTS as referenced in the table below, which forms part of this application, except as otherwise specified by any condition of this approval.

b) The proposed development must generally comply with plans prepared SMEC AUSTRALIA PTY LTD, LLOYD ENERGY SYSTEMS AND BRANDI PROJECTS 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 NUMBER	REVISION NUMBER	DATE
Site Plan	TP/04/09 - 1		3 July 2009
Reflector Array – Plan view	7-1061-SK-001	A	8 December 2008
Support Tower	TP/04/09 – 2		3 July 2009
Reflector Array – Projection View	7-1016-SK-003	A	1 December 2008
Plan of Solar Project Area	SMEG 001		1 May 2009
Plan /elevation/side elevation of Platform	SMEG 001		1 May 2009
Layout of Interpretive Information Platform	SMEG 001		1 May 2009
Layout Plan (Parking)	GA – 01	A	9 May 2009

c) 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.

2. Defined Use

The use shall be in accordance with the details contained in *Solar Cloncurry: DA Report* prepared by SMEG for Lloyd Energy dated May 2009.

3. Building Materials

All buildings must be constructed from materials and/or paint which must be of low reflective quality which does not cause excessive glare.

4. Car Parking

All car parking facilities and driveways must be constructed in accordance with Council's Standards and in accordance with Layout Plan (Parking) GA – 01 and must be maintained thereafter to that standard.

5. Lighting

a) All internal and external lighting must be fitted with shades and erected in a manner that ensures that adjoining premises and roads are not affected
b) Lighting is provided in accordance with the *Australian Standard AS1158 Public Lighting Code*

6. Stormwater Drainage

The development site must be graded so that all roof runoff naturally falling onto the

development site is collected within the boundary and discharged to the lawful point of discharge. The developer must ensure that no ponding of stormwater occurs on adjacent allotments.

7. Storage

Goods, equipment or machinery must not be stored or left exposed outside the development footprint area so as to be visible from any public road. Any storage on site must be screened from view from roads and adjoining properties.

8. Noise

The hours of construction and building work on site must be limited to between:- 6:30am to 6:30pm Monday to Friday with no work on Saturdays or Sundays or Public Holidays without the approval of Council.

9. Site Tenure and Maintenance

Within 3 months of the issue of this development permit, the applicant must finalise an agreement with Council about the tenure of the land on which the Solar Thermal Power Plant is to be located and the arrangements for the Plant's ongoing ownership, maintenance and operations.

ADVICE

1. Payment of Rates, Charges and Expenses

Prior to the commencement of the use, all outstanding rates or charges levied by the Council or any expenses being a charge over the subject land must be paid in full.

2. 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.

3. 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 harm unless in respect of any claim so arising.

4. Environmental Protection Act

The Environmental Protection Act 1994 states that a person must not carry out any activity that causes, or is likely to cause environmental harm unless the person takes all reasonable and practical measures to prevent or minimize the harm. Environmental harm includes environmental nuisance. In this regard persons and entities, involved in the civil, earthworks or construction phases of this development are to ensure minimal risk likely to cause environmental harm.

5. Concurrent Agency Condition

a) Department of Main Roads

Pursuant to Section 3.3.16 (1) of the Integrated Planning Act 1997, the Department of Main Roads advises that it has no requirements with regards to the proposed application and reserves the right to reassess the application should the proposal not proceed along the lines indicated.

b) Queensland Transport.

Pursuant to Section 3.3.16 (1) of the Integrated Planning Act 1997, Queensland Transport advises that it has no requirements on the proposal. Comment is made that as tourism activities will be promoted at the development certain considerations are suggested to minimise conflicts.

CARRIED: 05.090707

The Town Planning & Building Administration Officer left the Chamber at 1:35pm.

The Manager Community Development, Karen Elphick reentered the Chamber at 1:37pm to provide the reminder of her report.

18.5 Outdoor furniture at various locations in Cloncurry

Moved: Cr Vernon Seconded: Cr Ferguson
That the purchase of the outdoor seating and picnic tables as detailed in the report be approved.
CARRIED: 06.090707

18.6 Regional Arts Development Fund Application 001 (2009/10)

Moved: Cr McDonald Seconded Cr Campbell
That Council endorses the RADF Committee's recommendation to approve RADF application 001 (2009/10) with a contribution of $2,000.
CARRIED: 07.090707

18.7 Request for support Cloncurry 12yo School Rugby League

Moved Cr Daniels Seconded: Cr Vernon
That $1,500 (excl. GST) be donated to the Cloncurry 12yo School Rugby League team to compete at the end of this month in Townsville.
CARRIED: 08.090707

12.0 COMMUNITY DEVELOPMENT REPORT

12.1 Community Development Report - General

Noted by Council.

12.2 John Flynn Place Report

Noted by Council.

12.3 Mary Kathleen Park Museum and Visitor Information Centre Report

Noted by Council.

12.4 Community Housing Report

Noted by Council.

12.5 Cloncurry Multifunctional Childcare Centre Report

Noted by Council.

12.6 Cloncurry Library Report

Noted by Council.

12.7 'Back to Cloncurry' 125yr celebrations

Moved: Cr Vernon **Seconded: Cr Ferguson**
That Council support the 125yr Celebrations by providing financial assistance up to a maximum of $5000 for the two main events with the main support for Council's official function and also in kind assistance where required.
CARRIED: 09.090707

The Manager Community Development and the Community Development Officer left the Chambers at 2:23pm.

The meeting adjourned at 2:23pm and reconvened at 2:43pm, with all those previously in attendance present.

13.0 ADMINISTRATION REPORT

13.1 Workplace Health and Safety Report - General

Noted by Council.

14.0 FINANCE REPORT

14.1 Schedule of Payments – June 2009

Moved: Cr McDonald **Seconded: Cr Campbell**
That the payments as listed on the schedule of payments for the period be noted.
CARRIED: 10.090707

14.2 Financial Reports to 30 June 2009

Noted by Council.

14.3 Financial Matters Report as at 31 May 2009

Noted by Council.

14.4 Queensland Treasury Corporation Cash Fund Account Statement May 2009

Noted by Council.

14.5 Write Off of Cloncurry Childcare Centre Outstanding Debts

Moved: Cr Daniels **Seconded: Cr Ferguson**
That approval be given to write off the Cloncurry Childcare Centre Outstanding Debts as detailed in this report.
CARRIED: 11.090707

14.6 Outstanding Rates Discount Assessment 00508-00000-000

Moved: Cr Daniels **Seconded: Cr McDonald**
That the discount not be allowed, that this is to be paid within 14 days and that the interest charge levied be waived should payment be received by this due date.
CARRIED: 12.090707

15.0 CORRESPONDENCE REPORT

15.1 General Documents/Correspondence Received

Noted by Council.

15.2 Office of State Revenue, 9 June 2009 – Fuel subsidy Act 1997 – Abolition of the fuel subsidy scheme

Noted by Council.

15.3 Department of Environment and Resource Management (DERM), 11 June 2009 - Consultation - Annual valuation effective 30 June 2010

Moved Cr: McDonald **Seconded: Cr Campbell**
That the Department of Environment and Resource Management be advised that Council do not believe that an annual valuation be undertaken this year.
CARRIED 13.090707

15.4 Attorney-General and Minister for Industrial Relations, 22 June 2009 – Request for special holiday 2010

Moved: Cr Campbell **Seconded: Cr McDonald**
That Council applies for a special holiday to be held on Friday 18 June 2010 for the purpose of the Cloncurry Show Day.
CARRIED: 14.090707

15.5 Department of Environment and Resource Management (DERM), 22 June 2009 – Naming areas and geographical features in celebration of Q150

Noted by Council.

15.6 LA Evans Solicitor, 25 June 2009 - Shell Fuel Lease

Moved: Cr McDonald **Seconded: Cr Campbell**
That the proposed new wording of clause 9.3 (c) from Shell not be accepted and that the original wording proposed by Council be retained.
CARRIED: 15.090707

16.0 IN COMMITTEE MATTERS

No report provided.

17.0 GENERAL BUSINESS

No report provided.

18.0 LATE ITEMS REPORT

18.3 Toll Resources - Request for tri/bogie quad/triple approval to use Sir Hudson Fysh Drive

Moved: Cr Campbell **Seconded: Cr Ferguson**
That the application from Toll Resources for tri/bogie quad/triple trucks to use Sir Hudson Fysh Drive, be approved subject to the same conditions as applied by Queensland Transports' AAB-Quad Permit no. 105-TH08am3; initially to 30 June 2010 and contribute 75% to the upgrade and widening of the section of the Airport Access Road to the access of the yard.
CARRIED: 16.090707

18.8 2009/10 Budget and associated items

Moved: Cr Vernon **Seconded: Cr Ferguson**
1. **That the Revenue Statement as included in the report be adopted for 2009/10;**
2. **That the 2009/10 budget as presented be adopted;**
3. **That the rates and charges incorporated in the 2009/10 budget document as presented be levied;**
4. **That the rates and charges be levied twice yearly;**
5. **That capping of increases in the general rates for categories 1 to 8 and 14 be set at 5% for 2009/10;**
6. **That the payment of the rates and charges fall due within 31 days after date of issue of the rate notice;**
7. **That a discount of 10% is to apply for payments received by the due date of 31 days after the issue date of the rate notice;**
8. **That an interest rate of 11% is to apply to all overdue current rates and charges; and**
9. **That the Borrowing Policy as incorporated in the 2009/10 budget document be adopted.**

CARRIED: 17.090707

Mr Mike Westerman, General Manager of Ernest Henry Mine, entered the Chamber at 3:45pm to address Council. Mr Westerman left the Chamber at 4:15pm.

18.7 Request for support Cloncurry 12yo School Rugby League

Moved: Cr Ferguson **Seconded: Cr Vernon**
That $1,500 (excl. GST) be donated to the Cloncurry 12yo School Rugby League team to compete at the end of this month in Townsville.
CARRIED: 18.090707

The Projects Manager, Ryan Symmans, entered the Chamber at 5:37pm to provide his report.

13.2 Project Manager's Report - General

Noted by Council.

The Project Manager left the Chamber at 5:57pm.

The meeting concluded at 6:10pm.