CLONCURRY SHIRE COUNCIL
ORDINARY MEETING MINUTES
6 July 2010

Minutes of the Ordinary Meeting of the Cloncurry Shire Council held in the Council Chambers, Cloncurry on Tuesday 6 July 2010.

1.0 OPENING OF MEETING

The meeting opened at 8:25am

2.0 PRESENT

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

3.0 LEAVE OF ABSENCE/CONDOLENCES

Condolences were offered to the families of Clendinning Jimmy, Lenore Williams, George Apps, Jerry Tim and Ethel Walsh.

4.0 DEPUTATIONS

There were no deputations to note.

5.0 MAYOR'S REPORT

No Items to Report

6.0 COUNCILLOR'S REPORTS

⇒ *Cr Ferguson: - No Items to Report*
⇒ *Cr Campbell: - No Items to Report*
⇒ *Cr McDonald: - No Items to Report*
⇒ *Cr Vernon: - Rockhana Weekend, disappointing numbers as competed against Saxby this year*

7.0 CONFIRMATION OF MINUTES

7.1 Minutes from the Ordinary Meeting on 15 June 2010

Moved: Cr McDonald **Seconded: Cr Vernon**
That the minutes of the Ordinary Meeting held on 15 June 2010 be confirmed.
CARRIED: 01.100706

8.0 ITEMS DEFERRED FROM PREVIOUS MEETINGS

8.1 Native Title – ILUA's for Pita Pita, Kalkadoon & Bularnu Waluwarra and Wangkayujuru (refer Item 9.1)

8.2 Aerodrome Fees and Charges

Item deferred until later in the meeting.

8.3 Southern Cross Media (Hot FM) Broadcast Site – report to be provided with the Community Development Report at the Ordinary Meeting of Council 20 July 2010

The Town Planning and Building Administration Officer, Larinda Turrell entered the Chambers at 8:32am to provide her report.

Moved: Cr Campbell **Seconded: Cr Vernon**
Moved into committee at 8:31am to discuss Item 9.1 a contract proposed to be made by Council.
CARRIED: 02.100706

9.0 TOWN PLANNING, BUILDING & DEVELOPMENT REPORT

9.1 Native Title – ILUA's for Pita Pita, Kalkadoon & Bularnu Waluwarra and Wangkayujuru

Deferred until later in the meeting.

Moved Cr Vernon **Seconded: Cr McDonald**
Council moved out of committee at 8:40am.
CARRIED: 03.100706

9.2 Application for Boundary Dispensation over Lot 52 on 899205 Located at Lot 52 cnr Ham & Isley Street , Cloncurry

Moved: Cr Vernon **Seconded: Cr McDonald**
Dwelling
That the application for boundary dispensation for the relocatable dwelling over Lot 52 on RP899205 located at the cnr Isley & Ham Street be approved due to the applicant providing a 12m x 12m truncated corner area that is not to be built on.
CARRIED: 04.100706

Moved: Cr Vernon **Seconded: Cr McDonald**
Fence
That the application for boundary dispensation for the fencing over 1m on Lot 52 on RP899205 located at the cnr Isley & Ham Street be declined due to requirements of MP1.3 of the Queensland Development Code & :

Performance Criteria
P7 The size and location of structures on corner sites provide for adequate sight lines.

A7 Fences, Screens, and retaining walls and other structures are not more than 1m high within a truncation made by 3 equal cords of a 6m radius curve at the corner of the 2 road frontages.
CARRIED: 05.100706

9.3 Compulsory Acquisition of Native Title – Part of Lot 50 on SP 158585

Moved: Cr Vernon **Seconded: Cr Campbell**
The Council hereby resolve to acquire Native Title rights and interests over proposed Lot 1 on SP212806 (the land) after the land is excised from the Canobie Pastoral Holding.
CARRIED: 06.100706

Moved: Cr McDonald **Seconded: Cr Daniels**
On dedication of the Land as a Reserve for recreation purposes, the council resolves to grant a Trustee Lease for recreation purposes to Burke and Wills Sports Club Inc,
CARRIED: 07.100706

Moved: Cr Campbell **Seconded: Cr Vernon**
The Council resolves to delegate to the Chief Executive Officer the power to enter into negotiations and to execute all documents necessary to achieve council's objectives in relation to the acquisition of Native Title rights and interests, dedication of the Land as Reserve and the grant of a Trustee Lease to the Club.
CARRIED: 08.100706

Cr Vernon declared a material personal interest in the following matter and left the Chambers at 8:56am.

9.4 Written Agreement/Consultation for Proposed Works – Works on Roads
CLPW Cudeco Ltd McIlwraith Street, described as Lot 1 McIlwraith Street, Cloncurry

Moved: Cr McDonald **Seconded: Cr Ferguson**
That written approval be given on the condition that Ergon Energy consults the Department of Main Roads as this is a State Road, and that any council asset or property be reinstated to its original state.
CARRIED: 09.100706

Cr Vernon entered the Chambers at 8:58am

9.5 Application for Renewal of Pastoral Holding 13/4910, described as Lot 4910 on SP135396, Cloncurry Shire

Moved: Cr Daniels **Seconded: Cr McDonald**
Application for Renewal of Pastoral Holding 13/4910, described as Lot 4910 on SP135396 be approved.
CARRIED: 10.100706

9.6 Development Application TP05/10 – Material Change of Use: Tourist Accommodation Park (Undefined Use) Impact Assessable - Lot 5 on BD5212 Phillips Street, Cloncurry

Moved: Cr Daniels **Seconded: Cr Campbell**
Council moved into committee at 9:16am to discuss Development Application TP05/10 being a matter to be decided under the Planning Act
CARRIED: 11.100706

Moved: Cr Daniels **Seconded: Cr McDonald**
Moved out of committee 9:28am.
CARRIED: 12.100706

Item deferred until later in the meeting.

9.7 Dedication of Unallocated State Land Described as Lot 1 on AP13515 cnr Cooper & McIlwraith Street, Cloncurry

Deferred until next meeting

9.8 Town Planning, Building & Plumbing General Report

Noted by Council.

9.9 Native Title Claim Yulluna People

Noted by Council.

The Town Planning and Building Administration Officer left the Chambers at 9.28am.

The Manager of Environmental Health, Water & Sewerage Services, Shane Noon entered the Chambers at 9:30am to provide his report.

10.0 ENVIRONMENTAL HEALTH REPORT

10.1 Water Report - Cloncurry

Noted by Council.

10.2 Water Report – Mains replacement

Noted by Council.

10.3 Water Report – LCJ Engagement

Moved: Cr Daniels **Seconded: Cr Ferguson**
That Council engages LCJ to carry out the scope of works set out in the attached letter of engagement.
CARRIED: 13.100706

10.4 Water Report – Kajabbi

Noted by Council.

10.5 Water Report - Dajarra

Noted by Council.

10.6 Sewerage Report – Cloncurry

Noted by Council.

10.7 Sewerage Report – Dajarra

Noted by Council.

10.8 Sewerage Report – Mitakoodi Pump Station

Noted by Council.

The Manager of Environmental Health, Water and Sewerage Services left the Chambers at 10:07am.

The Manager of Operations, Tom Arnold entered the Chambers at 10:12am to provide his report.

11.0 ENGINEERING (WORKS) REPORT

11.1 Works Report – General

Noted by Council.

11.2 Tender 2010-07 Zingari Road Stage II Rehabilitation

Moved: Cr McDonald Seconded: Cr Campbell
Council resolved that Tender 2010-07, Zingari Road Rehabilitation Stage II, be awarded to North West Construction Co Pty Ltd for their Tendered Lump Sum Price of $2,919,109.68 (incl. GST).
CARRIED: 14.100706

11.3 Cloncurry Hospital Footpath and Lighting Request

Noted by Council. CEO to advise Cloncurry Hospital accordingly.

The Late Items Report was brought forward for discussion.

11.4 Central Hotel Cloncurry, 22 June 2010 - Application for a Route Specific Permit

Moved: Cr Vernon Seconded: Cr McDonald
That Council approve the requested route from the Central Hotel as listed above for the use of their Komatsu forklift registration number C18402.
CARRIED: 15.100706

11.5 Cloncurry Constructions, 24 June 2010 - Application for a Route Specific Permit

Moved: Cr Vernon Seconded: Cr McDonald
That Council approve the requested route from Cloncurry Constructions Pty Ltd as listed above for the use of their Komatsu forklift registration number C03569.
CARRIED: 16.100706

11.6 YBD Constructions, 26 June 2010 - Application for a Route Specific Permit

Moved: Cr Vernon Seconded: Cr McDonald
That Council approve the requested route from YBD Constructions as listed above for the use of their Hyster forklift registration number C59185.
CARRIED: 17.100706

The Manager of Operations left the Chambers at 10:46am.

The meeting adjourned at 10:46am and reconvened at 11:20am with all those previously in attendance present.

Item 17 was brought forward for discussion.

17.0 IN COMMITTEE MATTERS REPORT

The Town Planning and Building Administration Officer, Larinda Turrell entered the Chambers at 11:56am to provide her report.

Moved: Cr Vernon **Seconded: Cr Campbell**
That Council moved into committee at 11:22am to discuss the In Committee Matters as listed on the grounds of contracts proposed to be made by Council and a matter under the Planning Act.
CARRIED: 18.100706

Moved: Cr Ferguson **Seconded: Cr Vernon**
Council moved out of committee at 12:03pm
CARRIED: 19.100706

17.1 Industrial Land Project

Moved: Cr Campbell **Seconded: Cr Ferguson**
That Council endorse the action of the Chief Executive Officer in making the final payment to DERM for the freehold title of such land.
CARRIED: 20.100706

17.2 QR Property – Land Exchange

Moved: Cr Campbell **Seconded: Cr Vernon**
That Council agree to the conditions of the proposed land exchange as set out in Queensland Rail's letter of 7 June 2010 for one residential building
CARRIED: 21.100706

17.3 Cloncurry Airport Terminal – Licence Agreement

Moved Cr McDonald **Seconded Cr Campbell**
That the CEO and Mayor be authorised to enter negotiations with the leasee on the actual terms of the licence agreement
CARRIED: 22.100706

Item 9.1 was brought forward for discussion

9.1 Native Title – ILUA's for Pita Pita, Kalkadoon & Bularnu Waluwarra and Wangkayujuru

Deferred until the next meeting of Council.

9.6 Development Application TP05/10 – Material Change of Use: Tourist Accommodation Park (Undefined Use) Impact Assessable - Lot 5 on BD5212 Phillips Street, Cloncurry

Moved: Cr Vernon **Seconded: Cr McDonald**
That the submitted Development Application for Material Change of Use – Tourist Accommodation Park on land in Phillips Street, Cloncurry and described as Lot 5 on BD212 for W & M Robertson, be approved subject to the attached conditions:-

DEVELOPMENT PERMIT
MATERIAL CHANGE OF USE
TOURIST ACCOMMODATION PARK
(16 CAMPER VAN (MOTORHOMES/CARAVANS/CAMPER TRAILERS) SITES and a 10 SITE CAMPING AREA)

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 – Wal's Camp	TP/05/10-1	
Site Plan – Wal's Camp	TP/05/10 – 2	01/04/2010

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 fullset 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. 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.

3. Refuse Facilities

a) Refuse disposal and storage areas are to be provided and screened by a solid fence a minimum of 1.2m in height.

4. Signage

a) Advertising devices are a maximum of 1.2 m^2 in size and are not illuminated.

5. Water Supply

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

6. Water Network Analysis

a) The applicant must demonstrate that a minimum pressure of 22m (including provision for minimum firefighting pressure) is available at the most disadvantaged building/motorhome site located on the subject land.

7. 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.

8. Roadworks

a) The developer must provide and construct an access off Phillips Street to the satisfaction of Council.

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 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.

11. Stormwater Drainage

a) 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.

b) 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.

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

12. Building Platform

a) Any 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.

Department of Transport and Main Roads (Concurrent Agency)

a) No requirements (Copy of Department of Transport and Main Roads advice attached).
CARRIED: 23.100706

The Town Planning and Building Administration Officer, left the Chambers at 12:10pm.

18.0 CHIEF EXECUTIVE OFFICER REPORT

18.1 Review of the Local Government Electoral System in QLD

Council resolved for the CEO to nominate a date for a meeting.

19.0 GENERAL BUSINESS

19.1 Saleyards Report

Moved: Cr Campbell Seconded: Cr Ferguson
That council award Cloncurry Constructions the quotation for rectifying the shed at the Saleyards at the quoted price of $14,460.60 (incl. GST).
CARRIED: 24.100706

Moved: Cr Campbell Seconded: Cr Ferguson
That Council award the removal of the demountable kiosk to Blair McArdle at the quoted price of $4,400.00 (incl. GST).
CARRIED: 25.100706

19.2 Mayors Attendance at MITEZ Meeting 15 July 2010

Moved Cr McDonald Seconded: Cr Campbell
Approval be granted to the Mayor to attend the MITEZ meeting in Townsville Thursday 15 July 2010.
CARRIED: 26.100706

19.3 Property located on the Cnr of Miles and Griffith Streets

Council resolved that the CEO investigates the block on the Cnr of Miles and Griffith Streets.

Item 15 was brought forward for discussion.

15.0 CORRESPONDENCE REPORT

15.1 General Documents/Correspondence Received

Noted by Council.

15.2 Cloncurry State School, 17 June 2010 – Thank you letter

Noted by Council.

15.3 Xstrata, 18 June 2010 – Proposed Introduction of a Resource Super Profits Tax

Noted by Council.

15.4 Department of Infrastructure, Transport, Regional Development and Local Government, 7 June 2010 – 2007-08 Local Government National Report

Noted by Council.

15.5 Scouts Australia, 16 June 2010 – Proposed Solar Project

Moved: Cr Campbell **Seconded: Cr Ferguson**
That Council support the initiatives of Scouts Australia for their proposed Solar Project and that the CEO signs their attached letter of support.
CARRIED: 27.100706

15.6 Budget Requirements 2010

Noted by Council.

15.7 Australian Local Government Association, 22 June 2010 – National General Assembly of Local Government

Noted by Council.

15.8 Australian Local Government Association, 29 June 2010 – Local Government and the Australian Constitution

Noted by Council.

The Meeting concluded at 12:25pm.