

**MINUTES OF THE ORDINARY MEETING OF THE TORRES SHIRE COUNCIL
HELD IN THE SHIRE OFFICES, DOUGLAS STREET, THURSDAY ISLAND
ON TUESDAY, 19 MAY 2015**

PRESENT

Mayor Pedro Stephen (Chair), Cr. Yen Loban, Cr. Allan Ketchell, Cr. John Abednego, Dalassa Yorkston (Chief Executive Officer), Andrew Brown (Director Corporate and Community Services), Bill Cuthbertson (Director Engineering and Infrastructure Services) and Nola Ward Page (Minute Secretary)

The meeting opened with a prayer by Mayor Stephen at 9.07am.

ACKNOWLEDGEMENT

The Mayor acknowledged the traditional owners The Kaurareg People upon whose land we hold our meeting also the elders representing the clans from the four winds of Zenadth Kes.

APOLOGY

Min. 15/05/1

Moved Cr. Loban, Seconded Cr. Wigness

“That Council accept the apology received from Cr. Willie Wigness.”

Carried

CONDOLENCES

As a mark of respect, Council observed a minute’s silence in memory of:

*Mrs Mollep, Mrs Saimo Gela, Ms Jenny Rose Cook
and Patrick Majid, Jnr*

DISCLOSURES OF INTEREST UNDER THE LOCAL GOVERNMENT ACT

Cr Willie Wigness

1. CEO Report
 - 1.1 Lot 186 on CP900533
 - 1.2 Lot 10 on SP148513

CONFIRMATION OF MINUTES

Min. 15/05/2

Moved Cr. Abednego, Seconded Mayor Stephen

“That Council receive the Minutes of the Ordinary Meeting of 21 April 2015 and confirm as a true and correct record of the proceedings.”

Carried

MATTERS OF ACTION FROM PREVIOUS MEETING

- Matters of Native Title (Compulsory Acquisition) – to date no communication has been received from KALT and KNTAC

Acknowledgement of the Zendath Kes Traditional Owners past and present

The Hon. Warren Entsch MP, Federal Member for Leichhardt and Chair of the Joint Select Committee on Northern Australia

The Hon. Warren Entsch MP will be in attendance during our Council Meeting, 19 May, 2015. Local matters of concern and regional issues facing the Torres Strait will be tabled during our discussion.

Torres Shire Tourism Steering Committee Meeting

The Torres Shire Tourism Steering Committee held its second meeting on 12 May. During the meeting the Committee set ratings (high/medium/low) on the 20 priorities outlined in the Tourism Development Plan 2009. The priority items directly from the Tourism Development Plan 2009 which the committee ranked as high included:

- Visitor Information Centre (Item No. 7)
- Self Guided Heritage Trails (Items No. 8,16,17)
- Cruise Ship Programs (Item No. 19)

In addition, two new items outside of the Tourism Development Plans were discussed these were:

- Scoping a Chamber of Commerce model and
- Regional Destination Brand.

The next Tourism Steering Committee Meeting is scheduled to be held on 2 July 2015.

Australian Citizenship Ceremony

On Friday 29 May, I am presiding an Australian Citizenship Ceremony for two new Australian citizens with the Department of Immigration and Border Protection. Arrangements have been made for this occasion which will be held in the Council Chambers commencing at 2pm.

MABO Day Celebrations

Local planning has commenced for the 2015 MABO Day Celebrations. The Theme for 2015 Mabo Day Thursday Island is: A Cultural Revolution. Celebrations commence Wednesday May 27 Referendum Day and concludes with the Celebration Finale on Wednesday June 3 Mabo Day.

- Why a Revolution? Step outside of our thinking - create opportunities for empowerment towards constructing change in our society, social structures & environment.
- It is time: Storytelling / Fireplace Venues - Film Nights; Learn about our history - (Referendum Day, Native Title, Sea Rights, Border Not Change, Torres Strait Treaty, Native Title, Doctrine of Discovery, Human Rights, Nationhood, Sovereignty, Traditional Culture, Language, Land Rights, 1936 Maritime Strike, 1937 August 23rd First Councillors Conference) Trace your Roots, Family Trees & Tribal connections. Traditional Dancing and Traditional Feasting / Live Bands / Performances / Entertainment.

Office of the Minister the Hon. Curtis Pitt, MP

Further to the Council's application for surplus State land in the Torres Shire local government area, I have provided additional information regarding the usage and benefits for Lot 41 and Lot 43 to the Senior Advisor for the Hon. Curtis Pitt, MP.

As confirmed, Council intends to make the land available for sporting/and or other community facilities including youth and social infrastructure. Securing this parcel of land is important for community growth and development.

Department of Transport – Local Fare Subsidy Scheme

Council's CEO, Dalassa Yorkston, the Directors and I met with Tina Phelan and Ross Hodgman of Department of Transport in relation to the proposed Local Fare Scheme Torres Strait on 6 May. The proposed Local Fare Scheme will commence on 1 July 2015 for concession card holders and residents who can demonstrate they have lived in the local area for more than 3 years. A copy of the Local Fare Scheme presentation will be made available to Councillors.

Project Decision Framework

I received correspondence stating the Queensland Treasury Corporation has released the Project Decision Framework to assist local governments in making value-for-money decisions in project selection. A copy of the toolkit including a suite of tools and templates will be sent to Council. In the meantime, the full toolkit can be downloaded from QTC website (QTC Connect).

Other Deputations and Meetings held this Month & Upcoming

- Major Infrastructure Project (MIP) Meeting with DEIS 7 May
- James Cook Consultative Committee Meeting 12 May
- Governor His Excellency Paul de Jersey visit 25-27 May
- Indigenous Leaders Forum in Palm Island 26-28 May
- Torres Shire Youth Council Meeting 29 May

God Bless, Au Esoau and Koeyma Eso.

Min. 15/05/3 **Moved Cr. Abednego, Seconded Cr. Ketchell**
"That the Mayor's report be received."

Carried

Adjournment: The meeting adjourned for Morning Tea at 10.15am and resumed at 10.50am with the presence of The Hon. Warren Entsch MP., Federal Member for Leichhardt and Chair of the Joint Select Committee on Northern Australia, on a courtesy visit to Torres Shire.

Honourable Entsch spoke on the \$19million dedicated to the redevelopment of the Home for the Aged Care Star of the Sea and a second application for \$4million for staff accommodation.

Mayor Stephen asked the Hon. Entsch "what does the Budget mean for Local Government".

Discussions took place on several issues.

Departure: The Hon. Warren Entsch MP., departed the meeting at 11.45am.

1. CHIEF EXECUTIVE OFFICER

REPORT

- Min. 15/05/4** **Lot 186 on CP900533 – Notice of Entry Kararu Gold Pty Ltd (File 1-45-2)**
Moved Cr. Abednego, Seconded Cr. Ketchell
“That Council acknowledge the Notice of Entry to Lot 186 on CP900533 allowing Kararu Gold Pty Ltd to conduct preliminary exploration under Exploration Permit Mineral 25520.”
Carried
- Min. 15/05/5** **Lot 10 on SP148513 – Notice of Entry Kararu Gold Pty Ltd (File 1-45-2)**
Moved Cr. Loban, Seconded Cr. Abednego
“That Council acknowledge the Notice of Entry to Lot 10 on SP148513 allowing Kararu Gold Pty Ltd to conduct preliminary exploration under Exploration Permit Mineral 25520.”
Carried
- Min. 15/05/6** **Annual Report 2013-2014 (File 1-13-1)**
Moved Cr. Abednego, Seconded Mayor Stephen
“That Council adopt the 2013-2014 Annual Report and the Financial Statements.”
Carried
- Min. 15/05/7** **Operational Plan 2014-2015 (File 1-022-8)**
Moved Cr. Loban, Seconded Cr. Ketchell
“That Council receive and note the 2014/2015 Operational Plan – Quarterly Report to March 2015.”
Carried
- Min. 15/05/8** **Moved Cr. Ketchell, Seconded Cr. Loban**
“That the Chief Executive Officer’s report be received.”
Carried

2. CORPORATE AND COMMUNITY SERVICES

REPORT

- Departure:** The Mayor departed the meeting at 12.56pm and the Deputy Mayor took the chair.
- Min. 15/05/9** **Finance (File 1-12-24)**
Moved Cr. Abednego, Seconded Cr. Ketchell
“That Council adopt the financial statements presented as at 30 April 2015 being the Comprehensive Income, Financial Position, Cash Analysis Report and the 2014/2015 Capital Works Program.”
Carried
- Min. 15/05/10** **Internal Audit**
Moved Cr. Abednego, Seconded Cr. Loban
“That Council appoint an Audit Committee which requires some appointments to be external to Council, and that the first meeting be held in June 2015 with a date to be determined and further that a knowledgeable Internal audit person/firm be utilised to develop a internal audit charter and outline initial steps to become legislative compliant.”
Carried
- Min. 15/05/11** **Infrastructure Charges Policy**
Moved Cr. Ketchell, Seconded Cr. Abednego
“That Council resolves to adopt the Torres Shire Council Charges Resolution (No.1) 2015 as set out in Torres Shire Council Headwork’s Infrastructure Charges Policy required under the Sustainable Planning Act 2009 (SPA) and its regulations and the Charges Resolution will take effect from the date publication is made on Council’s website following this meeting as set out in Section 634 of SPA.”
Carried
- Attendance:** The Mayor returned to the Chair at 1.01pm.

2. CORPORATE AND COMMUNITY SERVICES

REPORT

Min. 15/05/12 Moved Cr Abednego Seconded Mayor Stephen

“That the Report of the Director of Corporate and Community Services be received.”

Carried

3. ENGINEERING AND INFRASTRUCTURE SERVICES

REPORT

Adjournment: The meeting adjourned for lunch at 1.08pm and resumed at 1.40pm.

Attendance: The Regulatory Manager attended the meeting at 1.40pm.

Min. 15/05/13 Moved Cr. Abednego, Seconded Cr. Loban

“That the Report of the Director of Engineering and Infrastructures Services be received.”

Carried

4. PLANNING AND ENVIRONMENTAL SERVICES

REPORT

IDAS 15/02 Material Change of Use Accommodation Building - Extension (Pilots and Launch Masters Accommodation) at 16 John Street, Thursday Island being Lots 2 & 3 on RP744716

Min. 15/05/14 Moved Cr. Ketchell, Seconded Cr. Abednego

“That Council approve the application by Torres Industries Pty Ltd for a Development Permit for a Material Change of Use for an Accommodation Building Extension (Pilots and Launch Masters Accommodation) at 16 John Street, Thursday Island being Lots 2 & 3 on RP744716 subject to the following conditions:

Assessment Manager Conditions

Carry out the approved development

1. The proposed Plans of Development, as noted below are approved subject to any alterations. The applicant/owner must at all times during development of the land carry out the development and construction of any building thereon and conduct the approved use generally in accordance with:

a. The plans, specifications, facts and circumstances as set out in the application submitted to Council, subject to:

I. Any variation required to comply with these conditions of approval.

II. Any alteration found necessary by Council at the time of examination of Engineering Plans or during construction of the development because of particular engineering requirements; and

b. The following conditions of approval and the requirements of Council's Planning Scheme.

Approved Plans

2. The approved Plans of Development are as follows:

Plan Description	Plan No.	Date
Contour & detail Survey Prepared by Robert Bass Surveying	1214-ARP	December 2014 (Received by Council on 5 March 2015)
Floor Plan Prepared by Winner Land	A01	November 2011 (Received by Council on 5 March 2015)
'Solo' (elevations) Prepared by 1800 Ezy Kit	-	Undated (Received by Council on 5 March 2015)

4. PLANNING AND ENVIRONMENTAL SERVICES

REPORT

IDAS 15/02 Material Change of Use Accommodation Building - Extension (Pilots and Launch Masters Accommodation) at 16 John Street, Thursday Island being Lots 2 & 3 on RP744716 (cont'd)

Amalgamation Required

3. The applicant/owner is responsible for the reconfiguration (amalgamation) of Lots 2 & 3 on RP744716 into one lot. The Plan of Survey must be registered at the applicant's/owner's cost prior to Commencement of Use.

Water Supply and Sewerage Works

4. The approved Accommodation Building must be connected to Council's reticulated water supply in accordance with Council's Development Standards and to the satisfaction of the Council's Delegated Officer, prior to the Commencement of Use.

5. The approved Accommodation Building must be connected to Council's reticulated sewerage system in accordance with Council's Development Standards and to the satisfaction of the Council's Delegated Officer, prior to the Commencement of Use

Public Utilities

6. The applicant is responsible for the cost of any alteration to public utilities as a result of complying with conditions of this Development Permit.

7. Any damage caused to any public utility during the course of construction shall be repaired to the satisfaction of Council's Delegated Officer and at no cost to Council prior to the Commencement of Use.

8. Any alteration of any public utility or other facilities necessitated by the development of the land or associated construction works external to the site shall be at no cost to Council.

Stormwater

9. All stormwater within or entering the site must be controlled in such a manner so that it does not cause any public health or safety concerns and/or damage or loss to property and building for subject site or downstream of the subject site.

10. Any stormwater leaving the site must be discharged to the satisfaction of Council's Delegated Officer. Stormwater from the site must not cause nuisance to any adjoining properties.

Erosion and Sediment Control

11. The applicant/owner shall prevent erosion and sediment export from leaving the site. Site control measures such as silt fencing, controlled gravel access to the site and controlled disposal of waste, may be necessary.

12. Plans detailing the methods of controlling erosion and sediment are to be submitted for endorsement by Council's Delegated Officer prior to the issue of a Development Permit for Building Work.

Vehicle Parking

13. The cleared area between the proposed accommodation unit and the road frontage is to be formalised (via line marking and signage) for at least 3 visitor/resident parking spaces, prior to the commencement of use and to be maintained at all times to the requirements and satisfaction of Council's Delegated Officer.

4. **PLANNING AND ENVIRONMENTAL SERVICES**

REPORT

IDAS 15/02 Material Change of Use Accommodation Building - Extension (Pilots and Launch Masters Accommodation) at 16 John Street, Thursday Island being Lots 2 & 3 on RP744716 (cont'd)

Landscaping Plan

14. The applicant is required to provide a 2m landscaped area (excluding the driveway) along the John Street frontage of the site. The applicant/owner must provide a plan detailing the proposed landscaping for endorsement by Council's Delegated Officer prior to the issue of a Development Permit for Building Works.

The landscaping plan must detail:

- a. Location of plantings for the site;
- b. Types of species to be used;

All landscaping works must be provided in accordance with the approved plan prior to the Commencement of Use.

Infrastructure Charges

15. The applicant/owner must contribute in accordance with Council's Adopted Regulated Infrastructure Charges Policy in accordance with Section 648D of the *Sustainable Planning Act 2009*. Infrastructure charges are issued through the Adopted Infrastructure Charges Notice attached to this approval. The calculated charges at the current rates are:

1 x 1 bedroom accommodation unit = \$10,000

Contributions must be paid at the rate applicable at time of payment. Payment is required prior to the commencement of use.

Costs.

16. All recoverable but unpaid rates, charges and expenses pertaining to the subject land are to be paid in full. Interest and other charges levied on the property are to be paid prior to the Commencement of the Use.

ADVICE

1. This approval, granted under the provisions of the *Sustainable Planning Act 2009*, shall lapse four (4) years from the day the approval takes effect in accordance with the provisions of Section 341 of the *Sustainable Planning Act 2009*.
2. The following further development permits must be obtained:
 - a. Building works
 - b. Plumbing
3. No building materials or the like are to be stored on the footpath unless the relevant approval is obtained from Council and the associated fees are paid.
4. All building site managers must take all action necessary to ensure building materials and/or machinery on construction sites are secured immediately following the first potential cyclone warning and that relevant emergency telephone contacts are provided to Council Officers, prior to Commencement of Works.
5. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements. Any provisions contained in this approval relating to the enforcement of any of the conditions shall be in addition to all other rights, powers and privileges that the Council may possess or obtain, and nothing contained in these conditions shall be construed so as to prejudice, affect or otherwise derogate or limit these rights, powers and privileges of the Council.

For information relating to the *Sustainable Planning Act 2009* log on to www.dsdip.qld.gov.au/guide-to-the-sustainable-planning-act/ “

Carried

4. PLANNING AND ENVIRONMENTAL SERVICES

REPORT

IDAS 11/02 – Request to extend period of approval for Material Change of Use – Multiple Dwellings Units – 73 Airport Road, Horn Island being Lot 1 on SP116896

Min. 15/05/15 Moved Mayor Stephen, Seconded Cr. Loban

“That Council approves the request for an extension of 4 years to the approval period for a Material Change of Use at 73 Airport Road, Horn Island being Lot 1 on SP116896 subject to the following conditions including changes to the infrastructure charges in accordance with Council’s policy and Condition 20:

ASSESSMENT MANAGER CONDITIONS

Carry out the approved development

1 The proposed Plans of Development, as noted below and prepared by Wise Home Options are approved subject to any alterations. The applicant/owner must at all times during development of the land carry out the development and construction of any building thereon and conduct the approved use(s) generally in accordance with:

a The plans, specifications, facts and circumstances as set out in the application submitted to Council;

b To ensure that the development complies in all respects with the following conditions of approval and the requirements of Council’s Planning Scheme; and

c. Subject to any alterations found necessary by Council at the time of examination of Engineering Plans or during construction of the development because of particular engineering requirements.

Except for any variation required to comply with these conditions of approval.

Approved Plans

2. The approved Plans of Development are as follows:

Plan Description	Reference
Site Plan as amended	Sheet 1 of 5
Building 1	Sheet 2 of 5
Building 2	Sheet 3 of 5
Building 2	Sheet 4 of 5
Building 3	Sheet 5 of 5

Engineering Certification

3. A Registered Professional Engineer of Queensland shall certify engineering drawings and specifications for all engineering works, which shall be submitted in conjunction with an application for Development Permits for Building Works and/or Operational Works.

Vehicle Parking

4. The amount of vehicle parking provided must be as specified in Council’s Planning Scheme, which is a minimum of twelve (12) spaces.

The parking layout must comply with Australian Standard AS2890.1 2004 Parking Facilities – Off Street Car Parking and the Torres Shire Planning Scheme.

Vehicle Parking Construction

5. The parking must be constructed in accordance with Council’s Development Standards prior to the Commencement of Use and must be maintained at all times, both to the requirements and satisfaction of Council’s Delegated Officer. In particular, all parking, driveway and vehicular manoeuvring areas must be imperviously sealed with a concrete or bitumen finish, drained and line marked.

4. PLANNING AND ENVIRONMENTAL SERVICES

REPORT

IDAS 11/02 – Request to extend period of approval for Material Change of Use – Multiple Dwellings Units – 73 Airport Road, Horn Island being Lot 1 on SP116896 (cont'd)

Protection of Landscaped Areas from Parking

6. Landscaped areas adjoining the parking area must be protected from vehicular encroachment by a 150mm high vertical concrete kerb or similar obstruction, which must be approved by Council's Delegated Officer prior to the issue of a Development Permit for Building Work.

Environmental

7. The applicant/owner shall be responsible for the extirpation and destruction of any noxious weed or plants existing on the land the subject of the Development Permit.

Water Supply and Sewerage Works

8. The applicant/owner must carry out water supply and sewerage works to connect the proposed development to Council's existing water supply and sewerage headworks at a point determined by Council's Delegated Officer.

A plan of the works must be endorsed by Council's Delegated Officer prior to the Commencement of Works.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of Council's Delegated Officer, prior to the Commencement of Use or approval and dating of the Building Format Plan of Survey, whichever occurs first.

9. The approved Multiple Dwelling Units shall be connected to Council's reticulated water supply in accordance with Council's Development Standards and to the satisfaction of the Council's Delegated Officer, prior to the Commencement of Use or approval and dating of the Building Format Plan of Survey, whichever occurs first.

10. The approved Multiple Dwelling Units shall be connected to Council's reticulated sewerage system in accordance with Council's Development Standards and to the satisfaction of the Council's Delegated Officer, prior to the Commencement of Use or approval and dating of the Building Format Plan of Survey, whichever occurs first.

Public Utilities

11. The applicant is responsible for the cost of any alteration to public utilities as a result of complying with conditions of this Development Permit.

12. Any damage caused to any public utility during the course of construction shall be repaired to the satisfaction of Council's Delegated Officer and at no cost to Council prior to the Commencement of Use.

13. Any alteration of any public utility or other facilities necessitated by the development of the land or associated construction works external to the site shall be at no cost to Council.

Stormwater

14. All stormwater within or entering the site must be controlled in such a manner so that it does not cause any public health or safety concerns and/or damage or loss to property and building for subject site or downstream of the subject site.

4. **PLANNING AND ENVIRONMENTAL SERVICES**

REPORT

IDAS 11/02 – Request to extend period of approval for Material Change of Use – Multiple Dwellings Units – 73 Airport Road, Horn Island being Lot 1 on SP116896 (cont'd)

15. Any stormwater leaving the site must be discharged to the satisfaction of Council's Delegated Officer. Stormwater from the site must not cause nuisance to any adjoining properties.

16. All stormwater drainage shall be collected on-site and discharged to the lawful point of discharge. Plans of the drainage design shall be prepared by a Registered Professional Civil Engineer and approved by Council's Delegated Officer. A Development Permit for Building Works shall not be granted until a Development Permit for Operational Works has been issued in regard to the drainage scheme.

17. All surface water from the driveway and vehicle parking area is to be collected by drains and discharged via underground pipes to lawful point of discharge. The system is to be designed to prevent surface water being directed across the footpath in the road reserve and neighbouring properties.

Earthworks

18. Earthworks carried out on site shall not affect the structural integrity of any of the existing fences that border the subject site, unless it is intended to replace such fences. Any fences to be replaced must be clearly shown on plans submitted for Operational Works approval.

Erosion and Sediment Control

19. The applicant/owner shall prevent erosion and sediment export from leaving the site. Site control measures such as silt fencing, controlled gravel access to the site and controlled disposal of waste, may be necessary.

Plans detailing the methods of controlling erosion and sediment are to be submitted for endorsement by Council's Delegated Officer prior to the issue of a Development Permit for Building Work.

External Works

20. The applicant/owner must at their own cost undertake the following works external to the subject land:

- a. Provision of concrete crossovers and aprons;
- ~~b. Construct kerb and channel to the Airport Road frontage of the site; and~~
- ~~c. Construct sealed pavement between the lip of the channel and the edge of the existing pavement as necessary.~~

The external works outlined above require approval from Council. A plan of the works must be endorsed by Council's Delegated Officer prior to Commencement of Works. Such work must be constructed in accordance with the endorsed plan prior to approval and dating of the Plan of Survey.

Landscaping Plan

21. The applicant/owner must provide a plan detailing the proposed landscaping for endorsement by Council's Delegated Officer prior to the issue of a Development Permit for Building Works.

4. PLANNING AND ENVIRONMENTAL SERVICES

REPORT

IDAS 11/02 – Request to extend period of approval for Material Change of Use – Multiple Dwellings Units – 73 Airport Road, Horn Island being Lot 1 on SP116896 (cont'd)

Landscaping Plan (cont'd)

The landscaping plan must detail:

- a. 6 metre wide landscaped strip to the Airport Road frontage (excluding driveways and refuse storage area);
- b. Appropriate landscaping of setback areas; and
- c. Appropriate landscaping of the private and communal landscaped open space areas.

All landscaping works must be provided in accordance with the approved plan prior to the Commencement of Use.

Electricity

22. The applicant/owner must submit satisfactory evidence from Ergon Energy that:

- a. Electricity is available to the approved allotments; and
- b. An agreement has been made between the landowner and Ergon Energy to supply electricity to the proposed allotment.

Evidence is to be provided prior to the prior to issue of a Development Permit for Building Works.

Telecommunications

23. The applicant/owner must submit satisfactory evidence from telecommunications authorities that:

- a. Telecommunication services are available to the approved allotments; and
- b. An agreement has been made between the landowner and a telecommunication provider to supply telecommunications services to the proposed allotment.

Evidence is to be provided prior to the approval and dating of the issue of a Development Permit for Building Works.

Lawful Point of Discharge

24. The applicant/owner must ensure that the flow of all external stormwater from the property is directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development, all to the requirements and satisfaction of Council's Delegated Officer.

Noise and Lighting

25. All potential noise sources including refuse collection areas and air conditioners shall be installed and located in a manner which prevents noise nuisance beyond the subject site in accordance with the nuisance provisions of the Environmental Protection Regulation 1998.

4. **PLANNING AND ENVIRONMENTAL SERVICES**

REPORT

IDAS 11/02 – Request to extend period of approval for Material Change of Use – Multiple Dwellings Units – 73 Airport Road, Horn Island being Lot 1 on SP116896 (cont'd)

Fences

26. All fences are to be placed on the correct alignment to the satisfaction of Council's Delegated Officer.

27. The applicant/owner must provide a 1.8 metre high fence along the western side and rear boundaries of the site. Fencing is to be provided to the satisfaction of Council's Delegated Officer prior to the Commencement of Use.

Street Numbering

28. Street numbering is to be provided at the front of the property prior to the Commencement of Use.

Refuse Storage

29. The applicant/owner must provide a refuse bin enclosure in suitably screened, imperviously paved area large enough for storage of refuse and recycling containers. The refuse bin enclosure must be roofed, bunded and fitted with a bucket trap. An external cold-water tap is to be provided for the facility.

Water Saving

30. All toilet devices in the development must be fitted with dual flush cisterns and showers and hand basins in the development must be fitted with flow control valves or similar water control devices to generally restrict flow to 9 litres of water per minute.

31. The development shall have all kitchen, laundry and bathroom fittings that comply with the AAA Water Conservation System as defined by the AS/NZS 6400 (Water Efficient Products – Rating and Labelling 2003) and AS/NZS 3500 (National Plumbing and Drainage Standard Part 1.2). All tapware and shower roses shall not exceed a maximum flow of 9 litres of water per minute. Dishwashers and washing machines are excluded from this requirement.

Infrastructure Charges

~~The applicant/owner must contribute in accordance with Council's Water Supply and Sewerage Works and Contributions Policy provided for as per Section 847 of the Sustainable Planning Act 2009 towards the provision of water supply and sewerage headworks.~~

~~Contributions must be paid at the rates applicable at time of payment. On the present method of calculation, estimated total headworks contributions are \$45,198 (6 Equivalent Tenements ETs) for water, and \$58,920 (6 Equivalent Tenements ETs) for sewerage.~~

~~Payment is required prior to the commencement of the use.~~

32. The applicant/owner must contribute in accordance with Council's Adopted Infrastructure Charges Policy provided for as per Section 648D of the Sustainable Planning Act 2009. Infrastructure charges are issued through the Adopted Infrastructure Charges Notice attached to this approval. The calculated charges at the current rates are:

8 x 3 bedroom or more residences (\$224,000) – 1 credit existing 3 bedroom or more residence (\$28,000) = \$196,000.

Contributions must be paid at the rate applicable at time of payment. Payment is required prior to the commencement of use.

4. **PLANNING AND ENVIRONMENTAL SERVICES**

REPORT

IDAS 11/02 – Request to extend period of approval for Material Change of Use – Multiple Dwellings Units – 73 Airport Road, Horn Island being Lot 1 on SP116896 (cont'd)

Clothes Drying

33. An open air clothes drying facility is to be provided for each of the proposed Units. The facilities are to be screened from view from the road.

Vehicle Wash Bay

34. A vehicle wash bay is to be provided generally in the location shown on the Site plan.

Costs.

35. The applicant/owner shall be responsible for meeting all costs associated with the works required by this approval, together with the costs of any alterations to public utilities and services required by such works and with the connection of the development to such utilities and services. All works required shall be completed to the satisfaction of Council's Delegated Officer prior to the approval and dating of the Plan of Survey, unless otherwise specified by conditions of this approval or by a resolution of Council.

36. All recoverable but unpaid rates, charges and expenses pertaining to the subject land are to be paid in full. Interest and other charges levied on the property are to be paid prior to the approval and dating of the Plan of Survey.

ADVICE

- 1 This approval, granted under the provisions of the *Sustainable Planning Act 2009*, shall lapse four (4) years from the date of this notice.
- 2 The following further development permits must be obtained:
 - a. Development Permit for Operational Works
 - b. Development Permit for Building Works
 - c. Development Permit for Plumbing Works
- 3 No building materials or the like are to be stored on the footpath unless an appropriate approval from Council is obtained, including the payment of associated fees.
- 4 All building works are to be carried out in accordance with the requirements of the Building Code of Australia.
- 5 All building site managers must take all action necessary to ensure building materials and/or machinery on construction sites are secured immediately following the first potential cyclone warning and that relevant emergency telephone contacts are provided to Council Officers, prior to Commencement of Works.
- 6 Pursuant to the *Building and Construction Industry (Portable Long Service Leave) Act 1991*, if the cost of Operational Works exceeds \$80,000, then a portable long service levy is required to be paid. In accordance with Section 77 (1) of the Act, Council is required to sight the approved form issued by the Building and Construction Industry (Portable Long Service Leave) Authority that confirms that the requirements of the Act have been satisfied.

4. **PLANNING AND ENVIRONMENTAL SERVICES**

REPORT

IDAS 11/02 – Request to extend period of approval for Material Change of Use – Multiple Dwellings Units – 73 Airport Road, Horn Island being Lot 1 on SP116896 (cont'd)

ADVICE (cont'd)

7 The *Environmental Protection Regulation 1998* prohibits a building from making noise from:

- Monday to Saturday: before 7:00am and after 6:30pm; and
- Sunday or public holiday: at any time.

A maximum penalty of \$2,277.00 applies to an offence under these provisions.

In accordance with the Environmental Protection (Water) Policy 1997, all sand, silt, mud, paint, cement, concrete, builders waste or rubbish shall not be permitted to enter or be placed where it could reasonably be expected to more into a roadside gutter, stormwater drain or watercourse. On the spot fines apply for such offences.

8 This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements. Any provisions contained in this approval relating to the enforcement of any of the conditions shall be in addition to all other rights, powers and privileges that the Council may possess or obtain, and nothing contained in these conditions shall be construed so as to prejudice, affect or otherwise derogate or limit these rights, powers and privileges of the Council.

For information relating to the *Sustainable Planning Act 2009* log on to www.dsdp.qld.gov.au/guide-to-the-sustainable-planning-act/ “

Carried

Min. 15/05/16 Moved Cr. Ketchell, Seconded Cr. Abednego
“That the Report of the Regulatory Manager be received.”

5. IN COMMITTEE

That Council discuss 'In Committee', the items as listed below, under the provisions of the Local Government Regulation 2012, 275 Closed meetings;

(1) A local government or committee may resolve that a meeting be closed to the public if its councillors or members consider it necessary to close the meeting to discuss—

(a) the appointment, dismissal or discipline of employees; or (b) industrial matters affecting employees; or (c) the local government's budget; or (d) rating concessions; or (e) contracts proposed to be made by it; or (f) starting or defending legal proceedings involving it; or (g) any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act; or (h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain financial advantage.

Min. 15/05/17 Moved Mayor Stephen, Seconded Cr. Abednego

"That Council go into Committee.

Carried

Min. 15/05/18 Moved Cr. Abednego, Seconded Mayor Stephen

"That Council come out of Committee."

Carried

Sale of Land For Overdue Rates and Charges at 8 Outie Street, Horn Island

Min. 15/05/19 Moved Cr. Abednego, Seconded Mayor Stephen

"Pursuant to Section 141 (2) of the *Local Government Regulation 2012* ('the Regulation') and pursuant to Section 142 of the Regulation Council proceed with the Sale of Land for Overdue Rates and Charges at 8 Outie Street, Horn Island."

Carried

DATE OF NEXT MEETING: Tuesday, 23 June 2015

CLOSURE: The meeting closed with a prayer by Mayor Stephen at 3.31pm.

Confirmed this

day of

MAYOR