BURKE SHIRE COUNCIL
Western Gulf Savannah

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Musgrave Street Burketown
PO Box 90
BURKETOWN QLD 4830

Confirmed Minutes
Burke Shire Council Special Meeting
Friday 19th December 2014
3.15pm Council Chambers

01 Opening of Meeting

The Chair declared the meeting open at 3.18pm.

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02 Record of Attendance

Cr Ernie Camp, Mayor - Chair
Cr Paul Poole, Deputy Mayor
Cr Zachary Duff
Cr Tracy Forshaw – by phone

Philip Keirle; Chief Executive Officer
Jenny Williams; Executive Officer (Minutes)

Leave Cr Tonya Murray

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03 Special Meeting Report

03.01 MCU - MMG Page Creek and Sediment Trap

DEPARTMENT: Office of the CEO

RESPONSIBLE OFFICER: Liz Taylor; Town Planning Consultant

FILE REF: DA.2014-08

DATE: 18 December 2014

LINK TO COUNCIL PLAN/S: Town Planning Scheme

1. APPLICATION DETAILS

APPLICANT: MMG Century Ltd
C/- Matt Lord – Superintendent Environment
P O Box 8016
GARBUTT QLD 4814

APPLICATION: Material Change of Use –Extraction (Extraction of Material from Page Creek in Association with a Sediment Trap) being an- Environmentally Relevant Activity (ERA) 16(1)(a)- Dredging a total of 1,000 tonne or more of Material from the Bed of Naturally occurring Surface Water, in a Year; and disposal of the contaminated material caught by the Sediment Trap.

Associated with:

- an Application for Operational Works for Constructing or Raising Waterway Barrier Works;
- a Riverine Permit under Section 266 of the Water Act 2008; and
- an Environmental Authority to Dispose of Regulated Waste (Contaminated **S**ediment) that is sourced from outside the mining lease, in the Tailings Storage Facility at Century Mine.

Application N^{o}.: DA.2014.08

Property details.: Part of Lot 5 SP111112- (Term Lease –Lawn Hill and Riversleigh Pastoral Holding Company)

Co-ordinates: Easting 0244482

Northing 7942122

Zone Ref. 54K

ZONE: Rural Zone

ATTACHMENT 1: Alluvium Drawing P214034_001, Sheet 1, Revision A: Century Mine –Page Creek Sediment Trap and Rock Ramp Fish-way Plan and Details

ATTACHMENT 3: Environmental Authority

ATTACHMENT 4: SARA Response with Conditions.

2. PURPOSE (Executive Summary)

To consider an MCU application lodged by MMG for the extraction of material from Page Creek and the installation of a sediment trap.

3. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

This Application is made by MMG Century Ltd. The site is described as part of Lot 5 on SP111112, Term Lease – Lawn Hill and Riversleigh Pastoral Holding Company.

It is an Application for Material Change of Use –Extraction (Extraction of Material from Page Creek in Association with a Sediment Trap) being an- Environmentally Relevant Activity (ERA) 16(1)(a)- Dredging a total of 1,000 tonne or more of Material from the Bed of Naturally occurring Surface Water, in a Year; and disposal of the contaminated material caught by the Sediment Trap.

In association with an Application for Operational Works for Constructing or Raising Waterway Barrier Works, a Riverine Permit under Section 266 of the Water Act 2008 and an Environmental Authority to Dispose of Regulated Waste (Contaminated Sediment) in the Tailings Storage Facility at Century Mine, that is sourced from outside the mining lease.

The site is located within the Rural Zone under the Burke Shire Planning Scheme 2003, and requires Code Assessment.

An Environmental/Town Planning Assessment, prepared by Ashgrove Environmental, accompanies the Application and addresses the relevant town planning issues and environmental issues relating to the proposed development.

Land owners consent was sought and granted by the Department of Natural Resources and Mines (DNRM).

The Application required referral under the Sustainable Planning Act 2009, as follows:

FOR AN APPLICATION INVOLVING	**NAME OF REFERRAL AGENCY**	**ADVICE AGENCY OR CONCURRENCE AGENCY**	**ADDRESS**
Material change of use for an environmentally relevant activity made assessable under schedule 7, table 2, item 1 and ERA environmental authority (DEHP) Operational Work constructing or raising waterway barrier works made assessable under schedule 6, table 3 Item 11 (a)(i)	Department of State Development, Infrastructure and Planning	Concurrence	Department of State Development, Infrastructure and Planning PO Box 2221 Mount Isa QLD 4825 Visit: North and Central West Regional Office: 1/75 Camooweal Street, Mount Isa Telephone: 47473900

Background information on site:

Contaminated material (zinc and cadmium) has moved from the MMG Century mine site into Page Creek, and is gradually moving downstream towards Lawn Hill Creek. MMG Century has been advised, as a matter of urgency, by TropWater, the Centre for Tropical Water and Aquatic Ecosystem Research at James Cook University, who do the water monitoring for Century mine, to construct a sediment trap in Page Creek to capture the contaminated material, before the material reaches Lawn Hill Creek. The sediment trap will include a rock ramp fish-way.

The sediment trap will be placed on the lower reaches of Page Creek, upstream of its confluence with Lawn Hill Creek. Several alternative locations downstream of the preferred site were also investigated, however the proposed location is preferred on the basis that:

- It is located far enough downstream to effectively capture the contaminated material;
- There is suitable road/track access within about one kilometre;
- The cross section of the creek is suitable for installation of a sediment trap;
- It is located on the edge of a designated precinct within the Gulf Rivers Strategic Environmental Area along Lawn Hill Creek, while all other locations were well within this precinct;
- It has minimal cultural heritage constraints; and
  It is distant from the Lawn Hill Homestead.

Proposed development:

Page Creek drains one of the main catchments within the Century Mine operational area. Ongoing sediment monitoring undertaken by TropWater for MMG Century has indicated sediment contamination has occurred as a result of mining activities, and that contaminated materials are being mobilised downstream each wet season. The contaminated materials are mostly in the form of coarse sediment particles, containing zinc and cadmium.

The contaminated sediments have migrated outside the mining lease boundary and are approaching the confluence of Page Creek with Lawn Hill Creek.

While Page Creek provides minimal habitat values, Lawn Hill Creek is a perennial stream with significant habitat values. TropWater, has reported that in nine years of monitoring, a total of only six fish species have been recorded in the section of Page Creek upstream of the proposed sediment trap. However, none of these fish have ever survived through to the next wet season as Page Creek becomes completely dry over the dry season.

Page Creek does support a large population of freshwater crabs and these appear to be the only aquatic macrofauna that permanently inhabit the creek. This species is a capable climber which can traverse dry land surfaces and is therefore unlikely to be adversely affected by a fish passage barrier erected on Page Creek.

In contrast, Lawn Hill Creek is characterized by a much more significant fish habitat, with TropWater monitoring identifying a total of 23 species to date, with 6 to 18 species per site being recorded on each survey. Lawn Hill Creek is one of the most important fish habitats in the region. It is therefore important that contaminated material is prevented from moving from Page Creek into Lawn Hill Creek.

As the contamination is mostly in the form of coarse sediment particles it can be readily trapped by a simple coarse sediment trap and this has been identified as the most effective and efficient means to prevent the sediment from migrating into Lawn Hill Creek. The location close to the confluence of Page Creek with Lawn Hill Creek is required to ensure that sediment that has already moved downstream in Page Creek is trapped.

Alternative locations along Page Creek were examined, however the selected location is considered most suitable both in terms of the cross section of the stream being most suitable for placement of the sediment trap, and being far enough downstream to capture sediment that has already been mobilised along Page Creek.

Directly removing the contaminated materials from the length of Page Creek was dismissed by MMG Century as being very labour intensive, and causing disturbance to a significant length of Page Creek.

Sediment Trap Design

The proposed design of the sediment trap consists of a low profile structure constructed from crushed rock keyed into the bed and banks of the stream. Total dimensions of the rock ramp structure are 16 metres by 6 metres, giving a total footprint of less than 100m^2. The height of the pool above the sediment trap will be RL102.60m while the downstream level will be RL101.69m, a height differential of just under one (1) metre.

The core of the sediment trap will consist of mixed size crushed rock of diameter range 25-300mm. The mixed size range will provide for a compaction to form a stable base.

The upstream toe of the sediment trap will consist of several layers of large rocks, diameter 1.2m or larger keyed into the stream bed at least one metre below the existing surface. The downstream toe will consist of a single layer of rock of approximate diameter 1.2m buried to approximately one metre below bed level with crushed rock of size range 100-300mm used to provide a smooth profile at a grade of 1:3. This will minimise downstream scouring.

Crushed rock will also be keyed into the banks of the stream to minimise bank scour.

To construct the sediment trap approximate material requirements are as follows:

- 1.2m rock – 350-500m^3;
- 100-300mm rock – 600-800m^3;
- 25-300mm rock – 200-400m^3.

Material will be screened and sorted at source and no crushing or screening will take place at the sediment trap construction site. Transport will be via the most direct route, and assuming trucks can carry 20-40 m^3 per load, the maximum number of truck trips is estimated at 40-60 trucks.

Rock Ramp Fish-Way

The design incorporates a rock ramp fish-way to allow upstream and downstream fish passage whenever the structure is overtopping. The rock ramp fish-way utilises large rocks placed at regular intervals protruding from the structure to provide areas of lower flow and turbulence that allows fish to move upstream in a manner similar to a natural rocky stream.

This type of fish-way is suitable for low height barriers with height differentials of up to about two (2) meters and hence is suitable for the proposed sediment trap which has a height differential of less than one (1) metre. This type of design is used throughout Queensland.

An example of this type of fish-way in operation on the Proserpine River is shown below.

The rock ramp fish-way design also facilitates downstream fish passage, particularly by avoiding any sharp vertical drop as fish are swept downstream by flows and by providing slower flow zones which will act as refugia for fish moving downstream.

As the water level in Page Creek drops with each flow event, a pool will form upstream of the sediment trap. This pool will be relatively short-lived as water will be able to seep through the structure and will also evaporate. Similar to other pools along Page Creek and other ephemeral creeks in the area, there is potential for fish to be trapped upstream of the sediment trap.

Material required for construction of the sediment trap will be obtained from either an existing Burke Shire Council borrow pit and/or MMG operated quarries within the Century Mine mining lease. MMG's contractor holds a quarry material sales permit in relation to this material.

The design of the proposed sediment trap and rock ramp fish-way is shown on Alluvium Drawing P214034-001 Revision A, refer Attachment 1.

Construction Method

Construction is expected to take up to one (1) month.

Installation of the sediment trap will involve:

- Clearing of vegetation and establishment of working pads of area 40 metres by 30 metres on the west bank and 40 metres by 10 metres on the east bank. These will be oriented to allow access to the sediment trap, with orientation angled downstream to minimise risk of bank scour.
- Clearing of vegetation in the immediate vicinity of the sediment trap footprint and to allow access down the bank to upstream area of the sediment trap. Clearing will be limited to the immediate footprint and a buffer area of up to two (2) metres either side and 10 metres upstream and downstream, and no more than 0.5 hectares of vegetation will be cleared in total within the bed and banks of Page Creek. Cleared vegetation will be retained for post-construction reinstatement.
- Excavation of up to 1 metre of the bed of the stream to allow the sediment trap structure to be keyed in to the bed and banks.
- Placement of crushed rock as shown on Alluvium Drawing P214034-001 Rev A at Attachment 1.
- Placement of 1.2 metres of rocks at regular intervals as shown in Alluvium Drawing P214034-001 Rev A at Attachment 1.

Access

An existing access track runs to the west of the proposed sediment trap location. A new access track will be created from this track to the proposed sediment trap location, a distance of about 1.2km. The exact alignment will be determined in the field to avoid any Aboriginal cultural heritage items and also utilise any existing disturbed areas and minimise the need to clear mature trees. The track will be 5 metres to 8 metres wide, and the total area of clearing will be less than one (1) hectare. The track will need to be retained and maintained for the duration of the life of the sediment trap, estimated to be about 10 years, to allow annual access to remove accumulated contaminated material.

ENVIRONMENTAL MANAGEMENT MEASURES

Environmental Management Measures will be adopted as follows:

- No more than 0.5 hectares of vegetation will be cleared in the bed and banks of Page Creek (actual clearing area is expected to be in the order of 500m^2 although this is subject to confirmation).
- Clearing will be to ground level in areas that are not to be heavily trafficked.

- In heavily trafficked areas, trees and shrubs will be cleared to ground level and larger roots grubbed out, if necessary. Topsoil, groundcover and roots will then be pushed aside and stockpiled for reinstatement.
- If habitat trees are cleared, hollows will be checked for arboreal animals. If animals are found, MMG will monitor the hollows to check if the animals relocate, or seek advice from DEHP/RSPCA.
- Cleared vegetation will be set aside for reinstatement.
- Disturbance to the riparian fringe will be minimised to that required to provide safe access to the sediment trap location.
- Mature trees will be retained wherever possible, and removed only when required for safe operation of equipment.
- The access point to the sediment trap will be oriented downstream to minimise potential for bank scour.

Dedicated fauna spotters are not considered necessary as the vegetation is open and arboreal animals (or hollows) will be visible. Erosion and sediment control is not required as construction will take place during the dry season.

Construction will be undertaken using a grader and 30 tonne excavator.

Any suitably sized rocks removed from the bed will be retained for use in the structure. Unsuitable material will be removed and provided to the Lawn Hill Station for use as clean fill around the Station. Material will not be removed from Lot 5 on SP111112.

Construction will be undertaken in the dry season. Weather forecasts will be checked prior to commencement of construction.

Rehabilitation

Following construction, areas disturbed by construction will be reinstated by respreading of topsoil/groundcover and scattering of cleared vegetation. A smaller pad area and the access track will be retained for access during operation.

Removal and Disposal of Sediment

As the sediment trap is intended to trap contaminated sediment, it will be necessary to remove sediment after each wet season, provided that flow occurs in that wet season. It is anticipated that less than 5,000m^3 will need to be removed after each wet season. The material will be removed by a combination of a dry sucker truck, an excavator and dump truck. Assuming that trucks can carry 40m^3 of material, this will generate up to 125 truck movements each year that sediment needs to be removed.

Representative samples of the material will be collected for laboratory analysis to confirm contaminant levels.

Material will only be excavated to the existing bed level, which has been established by survey; that is, the only material that is to be excavated is the bed-load material which has been mobilised downstream by wet season flows.

It is intended to dispose of the contaminated sediment in the existing tailings storage facility (TSF) at Century Mine. The contaminated sediment is classified as a regulated waste. As the waste originates from outside the mining lease, it is not classed as mining waste and a separate environmental authority is required authorising the disposal of regulated waste in the TSF. MMG Century will lodge a separate application for this part of the process and will not remove any sediment from the sediment trap until approval has been obtained to dispose of the contaminated sediment in the TSF. If such approval cannot be obtained, MMG Century will utilise a commercial waste transport and disposal service to remove and dispose of the contaminated sediment at a suitably authorised location.

Maintenance

The structure may require maintenance after each wet season as the design is not designed as a permanent structure and in high flow conditions may suffer minor damage. Maintenance will generally be undertaken after each wet season as access is often not possible during the wet season. Maintenance will require an excavator and grader to reshape the sediment trap and replace rock that has moved. It is expected that material dislodged from the structure will be salvaged for repair works, however small quantities of material may need to be brought to the site for repair works.

Should any scouring of the banks or downstream toe of the structure be apparent this will also be repaired and stabilised as part of the maintenance activity. Similarly, if erosion has occurred on the access track or pad this will be repaired.

Decommissioning

It is currently anticipated that the sediment trap will be required for approximately ten years, by which time it is anticipated that the majority of contaminated sediment will have been removed.

The MMG Century sediment testing program in Page Creek will provide information on the migration of the contaminated sediment downstream and determine when the sediment trap can be removed.

Decommissioning will consist of removal of larger rocks and partial removal of crushed rock from the bed of Page Creek until the original longitudinal and cross-sectional profile has been restored. Requirements for ongoing monitoring to check stabilisation of the stream after decommissioning will be determined at the time of decommissioning; however it is expected that at least one further post-wet season inspection will be required.

Any approval of this application will be conditioned to ensure the proposed development is constructed, the site rehabilitated, the sediment trap and fish-way maintained and ultimately decommissioned in accordance with the supporting information provided with the application.

4. PROPOSAL

a. That Council notes the conditional approvals for this MCU provided by the Department of Environment and Heritage Protection; and
b. That Council notes that the activities the subject of this MCU align with the Burke Shire Council Planning Scheme; and
c. That Council approves the MCU subject to the conditions outlined in the concurrence agency report

5. OFFICER'S RECOMMENDATION

That Council resolve:

In accordance with the Sustainable Planning Act 2009 as amended, that the applicant be notified that the Application for a Development Permit for a Material Change of Use –Extraction (Extraction of Material from Page Creek in Association with a Sediment Trap) being an- Environmentally Relevant Activity (ERA) 16(1)(a)- Dredging a total of 1,000 tonne or more of material from the bed of naturally occurring surface water, in a year, located on land described as part of Lot 5 SP111112 - Term Lease – Lawn Hill and Riversleigh Pastoral Holding Company and more particularly:

- Easting 0244482;
- Northing 7942122;
- Zone Ref. 54K;

is approved subject to the conditions detailed below.

A. ASSESSMENT MANAGER CONDITIONS (COUNCIL)

1. This land use approval relies on the approval/issue of:

    - an Application for Operational Works for Constructing or Raising Waterway Barrier Works;
    - a Riverine Permit under Section 266 of the Water Act 2008, before any construction work associated with the sediment trap to commence.

    An Environmental Authority to Dispose of Regulated Waste (Contaminated Sediment) that is sourced from outside the mining lease, in the Tailings Storage Facility (TSF) at Century Mine, is also required.

    Should an Environmental Authority to Dispose of Regulated Waste on the TSF at Century Mine not be forthcoming, the applicant must make arrangements for the regulated waste to be transported to an authorized disposal facility and provide written confirmation to Council to that effect, to the satisfaction of the Chief Executive Officer or delegate, prior to removal of contaminated sediment from the site.

2. The construction and maintenances of the sediment trap and fish passage is to be undertaken in accordance with the approved plan: Alluvium Drawing P214034-001 Revision A and no crushing or screening of rock and other material is to be undertaken on site during construction and access to the sediment trap is to be orientated downstream to minimize potential bank scour, to the satisfaction of the Chief Executive Officer or delegate.

3. Clearing for construction of, and access to, the development is limited to the immediate footprint and buffer area creating the working pad and the new access track. Clearing of the bed and banks of Page Creek should not exceed 0.5 hectares and in any event is to be kept to an absolute minimum an avoid the riparian fringe, with all cleared topsoil, vegetation, ground cover and root systems to be retained for post construction re-instalment, to the satisfaction of the Chief Executive Officer or delegate.

4. The new access track servicing the sediment trap has a maximum width of between 5 and 8 metres and during construction, the alignment of the access track is to be determined having regard to avoiding any Aboriginal cultural heritage sites and mature trees. Any vegetation clearing required to construct the new access track is required to be minimal to preserve existing vegetation wherever possible. The applicant must ensure the development site and the existing and new access track/s are maintained at least annually, during the life of the extraction process, to the satisfaction of the Chief Executive Officer or delegate.

5. No fuel or dangerous goods are to be stored on site, to the satisfaction of the Chief Executive Officer or delegate.

6. No permanent buildings or structures are to be erected site. Temporary site facilities are required to be provided for staff working at or visiting each site during construction of the sediment trap and are limited to:
    - one (1) portable toilet for use by staff/workers; and
    - one (1) shade structure at each site for use by staff/workers,

    to the satisfaction of the Chief Executive Officer or delegate.

7. Qualified Environmental Officer/s must be on-site to undertake inspections of flora and fauna, prior to any construction associated with the sediment trap commencing, including the new access track. The Officer/s must provide advice to the on-site Project Manager with regard to the removal, maintenance and protection of vegetation, top soil and seed plants at the site, for future reinstatement. The Officer must also undertake a thorough audit of the site, prior to construction associated with the sediment trap commencing, to identify and remove any vulnerable fauna, including reptiles, to the satisfaction of the Chief Executive Officer or delegate.

8. Maintenance of the existing and new access tracks and the sediment trap/fish passage is to be undertaken at least annually, immediately after the wet season and any works required to address scouring, erosion or damage to the sediment trap/fish passage and accesses must be undertaken with six (6) weeks of the end of the wet season, to the satisfaction of the Chief Executive Officer or delegate.

9. Annual extraction operations are limited to daylight hours only, with no truck movements to or from the site permitted at any other time. The speed of all trucks along access track/s to the site is restricted to 20km per hour and all truck drivers accessing the sites are to be advised, accordingly by the on-site Project Manager and to the satisfaction of the Chief Executive Officer or delegate.

10. Loads on vehicles removing material from the extraction area, shall be kept covered during transit, in accordance with the directions of the Council, so as to prevent the escape or spillage of material. The operator must ensure that the trucks are only loaded to capacity, in accordance with the registration of each vehicle, to the satisfaction of the Chief Executive Officer or delegate.

11. The de-commissioning of the sediment trap, is only permitted following water testing by TropWater, or another suitably qualified consultant. Prior to de-commissioning commencing the written results of the water testing, confirming all contaminated sediment has been removed, are to be provided to the Chief Executive Officer or delegate to enable Council to issue written authority to allow the de-commissioning of the sediment trap/fish passage to proceed.

12. That all limnology reports past and future relating to the ecological health of Page Creek and Lawn Hill Creek be provided to the Chief Executive Officer of delegate.

13. The operator must undertake rehabilitation work, under the supervision of a Qualified Environmental Officer, after construction of the sediment trap/fish passage and following de-commissioning of the sediment trap/fish passage- as follows:

    <u>After Construction</u>

    - re-instate wherever possible in the local area, the cleared top soil, seed plants other vegetation and root systems removed to construct the new access track and sediment trap/fish passage; and
    - remove from the site any remaining rock and other material not used during the construction phase of the project, to the satisfaction of the Chief Executive Officer or delegate.

    <u>Following De- Commissioning</u>

    - remove from the site all construction and maintenance materials associated with the sediment trap/fish passage;
    - re-profile the bed and banks of Page Creek to return the creek profile to its natural state;
    - revegetation the banks of Page Creek where the structure has been removed, with native vegetation endemic to the local area, to the satisfaction of the Chief Executive Officer or delegate.

    Rehabilitation of the site is to be undertaken in accordance with this Condition and upon completion, be to the satisfaction of the Chief Executive Officer or delegate.

03.01 MCU - MMG Page Creek and Sediment Trap

That Council resolve:

In accordance with the Sustainable Planning Act 2009 as amended, that the applicant be notified that the Application for a Development Permit for a Material Change of Use – Extraction (Extraction of Material from Page Creek in Association with a Sediment Trap) being an- Environmentally Relevant Activity (ERA) 16(1)(a)- Dredging a total of 1,000 tonne or more of material from the bed of naturally occurring surface water, in a year, located on land described as part of Lot 5 SP111112 - Term Lease – Lawn Hill and Riversleigh Pastoral Holding Company and more particularly:

- **Easting 0244482;**
- **Northing 7942122;**

- **Zone Ref. 54K;**

is approved subject to the conditions detailed below.

B. ASSESSMENT MANAGER CONDITIONS (COUNCIL)

1. This land use approval relies on the approval/issue of:

- **an Application for Operational Works for Constructing or Raising Waterway Barrier Works;**
- **a Riverine Permit under Section 266 of the Water Act 2008, before any construction work associated with the sediment trap to commence.**

An Environmental Authority to Dispose of Regulated Waste (Contaminated Sediment) that is sourced from outside the mining lease, in the Tailings Storage Facility (TSF) at Century Mine, is also required.

Should an Environmental Authority to Dispose of Regulated Waste on the TSF at Century Mine not be forthcoming, the applicant must make arrangements for the regulated waste to be transported to an authorized disposal facility and provide written confirmation to Council to that effect, to the satisfaction of the Chief Executive Officer or delegate, prior to removal of contaminated sediment from the site.

2. The construction and maintenances of the sediment trap and fish passage is to be undertaken in accordance with the approved plan: Alluvium Drawing P214034-001 Revision A and no crushing or screening of rock and other material is to be undertaken on site during construction and access to the sediment trap is to be orientated downstream to minimize potential bank scour, to the satisfaction of the Chief Executive Officer or delegate.

3. Clearing for construction of, and access to, the development is limited to the immediate footprint and buffer area creating the working pad and the new access track. Clearing of the bed and banks of Page Creek should not exceed 0.5 hectares and in any event is to be kept to an absolute minimum an avoid the riparian fringe, with all cleared topsoil, vegetation, ground cover and root systems to be retained for post construction re-instalment, to the satisfaction of the Chief Executive Officer or delegate.

4. The new access track servicing the sediment trap has a maximum width of between 5 and 8 metres and during construction, the alignment of the access track is to be determined having regard to avoiding any Aboriginal cultural heritage sites and mature trees. Any vegetation clearing required to construct the new access track is required to be minimal to preserve existing vegetation wherever possible. The applicant must ensure the development site and the existing and new access track/s are maintained at least annually, during the life of the extraction process, to the satisfaction of the Chief Executive Officer or delegate.

5. No fuel or dangerous goods are to be stored on site, to the satisfaction of the Chief Executive Officer or delegate.

6. No permanent buildings or structures are to be erected site. Temporary site facilities are required to be provided for staff working at or visiting each site during construction of the sediment trap and are limited to:

- **one (1) portable toilet for use by staff/workers; and**
- **one (1) shade structure at each site for use by staff/workers,**

to the satisfaction of the Chief Executive Officer or delegate.

7. Qualified Environmental Officer/s must be on-site to undertake inspections of flora and fauna, prior to any construction associated with the sediment trap commencing, including the new access track. The Officer/s must provide advice to the on-site Project Manager with regard to the removal, maintenance and protection of vegetation, top soil and seed plants at the site, for future reinstatement. The Officer must also undertake a thorough audit of the site, prior to construction associated with the sediment trap

commencing, to identify and remove any vulnerable fauna, including reptiles, to the satisfaction of the Chief Executive Officer or delegate.

8. **Maintenance of the existing and new access tracks and the sediment trap/fish passage is to be undertaken at least annually, immediately after the wet season and any works required to address scouring, erosion or damage to the sediment trap/fish passage and accesses must be undertaken with six (6) weeks of the end of the wet season, to the satisfaction of the Chief Executive Officer or delegate.**

9. **Annual extraction operations are limited to daylight hours only, with no truck movements to or from the site permitted at any other time. The speed of all trucks along access track/s to the site is restricted to 20km per hour and all truck drivers accessing the sites are to be advised, accordingly by the on-site Project Manager and to the satisfaction of the Chief Executive Officer or delegate.**

10. **Loads on vehicles removing material from the extraction area, shall be kept covered during transit, in accordance with the directions of the Council, so as to prevent the escape or spillage of material. The operator must ensure that the trucks are only loaded to capacity, in accordance with the registration of each vehicle, to the satisfaction of the Chief Executive Officer or delegate.**

11. **The de-commissioning of the sediment trap, is only permitted following water testing by TropWater, or another suitably qualified consultant. Prior to de-commissioning commencing the written results of the water testing, confirming all contaminated sediment has been removed, are to be provided to the Chief Executive Officer or delegate to enable Council to issue written authority to allow the de-commissioning of the sediment trap/fish passage to proceed.**

12. **That all limnology reports past and future relating to the ecological health of Page Creek and Lawn Hill Creek be provided to the Chief Executive Officer of delegate.**

13. **The operator must undertake rehabilitation work, under the supervision of a Qualified Environmental Officer, after construction of the sediment trap/fish passage and following de-commissioning of the sediment trap/fish passage- as follows:**

    <u>After Construction</u>

    - **re-instate wherever possible in the local area, the cleared top soil, seed plants other vegetation and root systems removed to construct the new access track and sediment trap/fish passage; and**
    - **remove from the site any remaining rock and other material not used during the construction phase of the project, to the satisfaction of the Chief Executive Officer or delegate.**

    <u>Following De- Commissioning</u>

    - **remove from the site all construction and maintenance materials associated with the sediment trap/fish passage;**
    - **re-profile the bed and banks of Page Creek to return the creek profile to its natural state;**
    - **revegetation the banks of Page Creek where the structure has been removed, with native vegetation endemic to the local area, to the satisfaction of the Chief Executive Officer or delegate.**

    Rehabilitation of the site is to be undertaken in accordance with this Condition and upon completion, be to the satisfaction of the Chief Executive Officer or delegate.

Moved: **Cr Poole**
Seconded: **Cr Camp**

Carried 01.141219 4/0

03.02 2013-2014 Financial Statements, Current Year Sustainability Certificate, Long Term Sustainability Certificate

DEPARTMENT:	Office of the CEO
RESPONSIBLE OFFICER:	Philip Keirle; CEO
FILE REF:	Financial Statements
DATE:	18 December 2014
LINK TO COUNCIL PLAN/S:	Operational Plan 2013-2014, Operational Plan 2014-2015

1. PURPOSE (Executive Summary)

To adopt Council's 2013-2014 Financial Statements, Current Year Sustainability Certificate and Long Term Sustainability Certificate.

2. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

Council has been working with internal and external auditors as well as Asset Revaluation specialists and Council's solicitors in the preparation of the 2013-2014 Financial Statements. Council was originally scheduled to proceed with the external audit in mid-late October 2014. Council received an extension to this timetable from the Minister for Local Government, which pushed the external audit back to 9-12 December 2014.
On 18 December 2014, Council's internal auditors provided QAO with the 2013-2014 Financial Statements for review. These documents were forwarded by QAO to Council on 19 December 2014. Council anticipates receiving the Final Audit Report from QAO early in 2015.

3. PROPOSAL

That Council adopts the 2013-2014 Financial Statements, the Current Year Financial Sustainability Certificate and the Long Term Sustainability Certificate.

4. OFFICER'S RECOMMENDATION

That Council notes the contents of the 2013-2014 Financial Statements, Current Year Sustainability Certificate and Long Term Sustainability Certificate.

04.02 2013-2014 Financial Statements, Current Year Sustainability Certificate, Long Term Sustainability Certificate

That Council notes the contents of the 2013-2014 Financial Statements, Current Year Sustainability Certificate and Long Term Sustainability Certificate.

Moved: Cr Camp
Seconded: Cr Poole

Carried 02.141219 4/0

05 Closure of meeting

The Chair declared the Meeting closed at 3.44pm.

I hereby certify that these pages numbered 1 to 14 - constitute the Confirmed Special Meeting minutes of the Council Meeting of Burke Shire Council held on Friday 19 December 2014.
Mayor Cr Ernie Camp .....