



Redland
CITY COUNCIL

MINUTES

SPECIAL MEETING

Thursday, 13 March 2014

The Council Chambers
35 Bloomfield Street
CLEVELAND QLD

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1 DECLARATION OF OPENING

The Mayor declared the meeting open at 8.34am.

2 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE**MEMBERS PRESENT:**

Cr K Williams	Mayor
Cr A Beard	Deputy Mayor & Councillor Division 8
Cr W Boglary	Councillor Division 1
Cr C Ogilvie	Councillor Division 2
Cr K Hardman	Councillor Division 3
Cr L Hewlett	Councillor Division 4
Cr M Edwards	Councillor Division 5
Cr J Talty	Councillor Division 6
Cr M Elliott	Councillor Division 7
Cr P Gleeson	Councillor Division 9
Cr P Bishop	Councillor Division 10

EXECUTIVE LEADERSHIP GROUP:

Mr B Lyon	Chief Executive Officer
Mr N Clarke	General Manager Organisational Services
Mrs L Rusan	General Manager Community & Customer Services
Mr G Soutar	General Manager Infrastructure & Operations
Mr A Ross	General Counsel
Mr G Holdway	Chief Financial Officer

MINUTES:

Mrs J Parfitt	Corporate Meetings & Registers Team Leader
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3 MATERIAL PERSONAL INTEREST AND CONFLICT OF INTEREST

Nil

4 BUSINESS**4.1 OFFICE OF CEO****4.1.1 BARRO GROUP PTY LTD ROAD CLOSURE APPLICATION; UNNAMED LOCAL GOVERNMENT ROAD MOUNT COTTON****Datworks Filename:** RTT – Road Closures Permanent**Attachment:** [Objection Submission to Barro Road Closure](#)**Responsible/Authorising Officer:****Bill Lyon**
Chief Executive Officer**Author:** **Andrew Ross**
General Counsel

PURPOSE

To adopt the attached Submission to the Department of Natural Resources and Mines (DNRM) regarding the Barro Group Pty Ltd Road Closure application for the unnamed Local Government Road at Mount Cotton.

BACKGROUND

A report was presented to Council on 5 March 2014 identifying some of the background information regarding the Barro Group Pty Ltd application to close the unnamed Local Government Road that commences south of their Mount Cotton Quarry Site, bisects the Quarry and continues north of the Quarry of the Site.

ISSUES

Further background information has been received relevant to the application including:

1. The Rural Fire Service Queensland considered the road closure application and recommended that a bushfire management plan for the area be developed with the opportunity to place roads or fire management control lines/fire breaks in strategic areas adjacent to the perimeter of the land parcels associated with the extraction industry.
2. The 1968 Quarry Development Permit, 1992 Quarry Development Plan and the 1993 Deed of Agreement with the Barro Quarry Pty Ltd which identified the future public use of the road and its realignment around the Quarry perimeter.
3. The historical, current and potential use of the road as a public recreational trail consistent with Council's environmental and connection strategies.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr J Talty

Seconded by: Cr W Boglary

That Council resolve to adopt the attached submission.

CARRIED 11/0

5 MEETING CLOSURE

There being no further business, the Mayor declared the meeting closed at 8.50am.

Signature of Chairperson: _____

Confirmation date: _____

Redland City Council – Objection

Barro Group Pty Ltd - Road Closure Application at
Mount Cotton Quarry : Unnamed Road
DNRM Reference 2013/006982 to 2013/006986

Application: The Department of Natural Resources and Mines (DNRM) informed Council of the Barro Group Pty Ltd application to permanently close the unnamed Local Government Road that commences south of the Barro Group Mount Cotton Quarry site, bisects the Quarry and continues north of the Quarry.

Decision: Council objects to the application to permanently close the road until the applicant realigns an alternative dedicated road around the Quarry pit to function as an environmental trail and fire buffer.

Background: The relevant background information includes:

1. Land Act 1994: the matters the Minister must consider under s99(7) of the *Land Act 1994*, in particular the road is formed and used by the public south of the Quarry across lot 162 on S31962 and is the only dedicated (but mostly unformed) access to private land north of the Quarry which appears to be principally used for recreational activities from adjoining land owners from:
 - a. Lot 1 on RP30627
 - b. Lot 2 on RP30627
 - c. Lot 2 on SP151622

Whilst the access easement is registered to service the northern private lots, the permanent road closure would deprive the public of access to this environmental area and any future expansion of the road network as part of council's connection strategy and bushfire management controls.

2. Statutory and Common Law: The Permanent Road Closure would deprive Council and the community currently and into the future of the statutory and common law rights to use and develop the road for its intended purpose; unless an alternative road is dedicated.
3. Historical Approval: Council issued a planning approval in 1968 imposing the condition "that the vertical alignment of the road is left in such a condition as to be trafficable at a later date". The condition of approval was accepted by the Barro Group Pty Ltd as part of a Deed of Agreement with Council in 1993, which contained a proposed alternative road route around the Quarry.
4. Historical Agreements: The 1993 Deed of Agreement between the Barro Group and Council intended the construction of an alternative road around the quarry site linking the southern and northern areas of the road, as demonstrated on the 1992 Quarry Development Plan. It is acknowledged the location of the alternative road route is unsuitable due to its location between the existing and the recently approved quarry expansion but that other alternative routes be developed.
5. Environmental Trail: The historical, current and potential use of the road as a public recreational trail consistent with Council's environmental and connection strategies.

6. Fire Trail: The road currently bisects the most significant fire risk area on the Redlands mainland and its closure would deprive the development of the road as a future trail. The advice from QFES dated 5 March 2014 states:

I have looked at the maps of the area and consider the road in question would not be functional for firefighting purposes.

- *The road is not serviceable – and would involve considerable expense to establish and maintain for operational firefighting purposes.*
- *There are obstructions along the ridgeline due to building location on private land and the land disturbance/ extraction site.*
- *Wildfire control from the road along the ridge would be considered unsafe especially during times of high to very high fire danger due to factors affecting fire behaviour and the timing associated with controlling a wildfire giving the area, terrain, vegetation, and potential bushfire hazard.*

We would recommend that a bushfire management plan for the area be developed with the opportunity to place roads or fire management control lines/fire breaks in strategic areas adjacent to the perimeter of the land parcels associated with the extraction industry.

.....
Chief Executive Officer

.....
Date

Redemap Aerial Map – Roads, Easements, Fire Hazard

