

BURDEKIN SHIRE COUNCIL

MINUTES - ORDINARY COUNCIL MEETING HELD ON 27TH JULY, 2010

Held in John Drysdale Chamber
Commencing at 9.00am

CLAUSE 1 **ATTENDANCE**

Crs. L.A. McLaughlin (Mayor), L. Loizou (Deputy Mayor), T.P. List, E. Gazziola, P.M. Dalle Cort, M.J. Haynes and R.H. Lewis

Mr. K. Holt - Chief Executive Officer
Mr. D.P. Mulcahy - Director Corporate and Community Services
Mr. T.G. Williams - Director Environment and Operations
Mr. S. Great - Manager Planning and Development
Mr. T. Vaccaro - Economic and Community Development Manager

Minutes Clerk - Miss. K. Smith

CLAUSE 2 **MEETING PRAYER**

The meeting prayer was delivered by Rev. Paul Clark of the Uniting Church.

CLAUSE 3 **PRESENTATION OF BHP BILLITON CANNINGTON MINE NORTH QUEENSLAND SPORT AND DEVELOPMENT BURSARY TO HEIDI HATCH AND HANNAH CASWELL**

The Mayor, Cr. McLaughlin and Mr. Tony Vaccaro, Economic and Community Development Manager presented the BHP Billiton Cannington Mine North Queensland Sport and Development Bursary to Heidi Hatch and Hannah Caswell.

CLAUSE 4 **DECLARATIONS OF INTEREST**

The Mayor called for declarations of interest.

1. Cr. Lewis declared a conflict of interest in respect of the Environment and Operations Agenda - Report 2 as he is in partnership in a business venture with the applicant.
2. Cr. McLaughlin declared a conflict of interest in respect of the Environment and Operations Agenda - Report 4 as the applicant is a family friend.

CLAUSE 5

MINUTES OF ORDINARY COUNCIL MEETING HELD ON 13TH JULY, 2010 RECEIVED

Moved Cr. List, seconded Cr. Gazziola that the minutes of the Ordinary Council Meeting held on 13th July, 2010 be received as a true and correct record.

CARRIED

CLAUSE 6

MINUTES OF BURDEKIN BUILDING SAFER COMMUNITIES ACTION TEAM MEETING HELD ON 23RD JUNE, 2010 RECEIVED AND ADOPTED

Moved Cr. Loizou, seconded Cr. Gazziola that the minutes of the Burdekin Building Safer Communities Action Team Meeting held on 23rd June, 2010 be received.

CARRIED

Moved Cr. Gazziola, seconded Cr. Dalle Cort that the minutes of the Burdekin Building Safer Communities Action Team Meeting held on 23rd June, 2010 be adopted.

CARRIED

CLAUSE 7

OPERATING STATEMENT FOR PERIOD ENDING 30TH JUNE, 2010 RECEIVED

Moved Cr. Loizou, seconded Cr. List that the Operating Statement for the period ending 30th June, 2010 be received.

CARRIED

CLAUSE 8

CAPITAL PROJECTS MONTHLY REPORT FOR THE PERIOD ENDING 30TH JUNE, 2010 RECEIVED

Moved Cr. Haynes, seconded Cr. Gazziola that the Capital Projects Monthly Report for the period ending 30th June, 2010 be received.

CARRIED

CLAUSE 9

**COUNCIL CONSENTS TO THE ERECTION OF A SHED ON LAND SUBJECT TO AN EASEMENT FOR DRAINAGE AND SEWERAGE, EASEMENT A ON RP891966, BENEFITING BURDEKIN SHIRE COUNCIL - 12 MCINTYRE PLACE, AYR - ROBERT AND JUDY MITCHELL
(I-DESIGN) , (I-PLANDEV)**

971959 - 01-05-03 - Mr M Ingle, Design Office Manager - Report - Proposed shed within Easement A on RP891966 - 12 McIntyre Place, Ayr - Robert and Judy Mitchell.

Moved Cr. Dalle Cort, seconded Cr. List that Council consents to the erection of a shed on land subject to an easement for drainage and sewerage, Easement A on RP891966, benefiting Burdekin Shire Council.

CARRIED

CLAUSE 10

**COUNCIL APPROVES REQUEST TO CHANGE AN EXISTING APPROVAL AT 92 MACMILLAN STREET, AYR - COLEVALE ESTATES PTY LTD
(I-PLANDEV)**

972598 - Cons 10-01 - Mr S Great, Manager Planning and Development - Report - Request to change an existing approval - change of condition - 92 Macmillan Street, Ayr - Colevale Estates Pty Ltd

Cr. Lewis declared a conflict of interest as he is in partnership in a business venture with the applicant and left the meeting.

Moved Cr. Dalle Cort, seconded Cr. Gazziola that Council approves the request to change an existing approval at 92 Macmillan Street, Ayr (Lot 2 on RP700008, Parish of Antill, County of Gladstone) subject to the following changes:

Remove Condition 13 Domestic Waste from the Negotiated Decision Notice

DOMESTIC WASTE

13. An enclosed area of suitable size to store the communal green waste bins and a wash down area shall be provided.

The communal bin and wash down area shall:

- Be of adequate size for the washing of the largest refuse bins so that all waste water is collected and capable of storing all communal waste bins;
- Have a floor which is raised, imperviously paved and suitably drained to Council's sewer, via an approved bucket trap or otherwise in accordance with Council's Trade Waste Policy;
- Be enclosed with walls to a height of approximately 1.2m;
- Provide an individual area of not less than 550mm wide by 750mm deep for each wheelie bin;
- Be roofed to prevent ingress of stormwater. If not, a first flush diversion

- valve shall be fitted; and
- Include a suitable hosecock with hose attached, located on an external front corner of the enclosure with dual check valve backflow prevention (RMC No. 7 or equivalent).

CARRIED

Cr. Lewis returned to the meeting.

CLAUSE 11

COUNCIL APPROVES DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT AT 118 & 120 PYOTT ROAD, AIRD MILLAN - ALEX PYOTT (I-PLANDEV)

972455 - Sub 10-27 - Mr S Great, Manager Planning and Development - Report - Development application for reconfiguring a Lot - 118 and 120 Pyott Road, Airdmillan - Alex Pyott.

Moved Cr. Loizou, seconded Cr. Haynes that Council approves the development application for reconfiguring a Lot at 118 & 120 Pyott Road, Airdmillan (Lots 3 and 4 on SP217482, Parish of Antill, County of Gladstone) subject to the following conditions:

GENERAL

1. The Council will not release the formal Plan of Reconfiguration until all rates and charges in arrears in respect of the land, the subject of the application, are paid in full.
2. Pay the sum of \$47-80 calculated on the basis of a charge of \$23.90 per lot to be levied on the Council by the Department of Environment & Resource Management for each new valuation.

ROADWORKS

3. The construction of any crossovers to give access to the land is to be the owner's responsibility and to the satisfaction of the Chief Executive Officer.

PROPOSAL PLAN

4. The reconfiguration of the land must be carried out generally in accordance with:-
 - (a) (i) the proposed Cleve McGuane Surveys Pty Ltd plan numbered 28147-5 sheets1-3;
 - (ii) the plans, specifications, facts and circumstances as set out in the application submitted to Council; and
 - (b) any approval issued under this approval; and
 - (c) any development permit for operational works relating to the reconfiguring of a lot.

PUBLIC UTILITY SERVICES

5. If any existing public utility service including telephone, electricity, water, sewerage or gas needs to be altered or relocated to complete the reconfiguration the developer must bear the cost of alteration or

relocation.

CARRIED

CLAUSE 12 **COUNCIL APPROVES DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT AT 137-139 BEACH ROAD, AYR - RICHARD BONATO (I-PLANDEV)**

972492 - Sub 10-26 - Mr S Great, Manager Planning and Development - Report - Development application for reconfiguring a Lot - 137-139 Beach Road, Ayr - Richard Bonato.

Cr. McLaughlin declared a conflict of interest as she is a friend of the applicant and left the meeting.

Deputy Mayor, Cr. Loizou assumed the Chair.

Moved Cr. Dalle Cort, seconded Cr. Lewis that Council approves the development application for reconfiguring a Lot at 137-139 Beach Road, Ayr (Lot 3 on RP910223, Parish of Antill, County of Gladstone), subject to the following conditions:

GENERAL

1.1 The Council will not release the formal Plan of Reconfiguration until all rates and charges in arrears in respect of the land, the subject of the application, are paid in full.

1.2 Pay the sum of \$47-80 calculated on the basis of a charge of \$23.90 per lot to be levied on the Council by the Department of Environment and Resource Management for each new valuation.

ROADWORKS

2.1 The construction of any crossovers to give access to the land is to be the owner's responsibility and to the satisfaction of the Chief Executive Officer.

2.2 Construct a 7.6m wide bitumen sealed road from the end of the existing bitumen seal of Patricia Road to 10m beyond the Western boundary of proposed Easement C.

2.3 A crossing is to be provided, over the existing drain within easement R on SP136130, to service the proposed access within easements B and C. The crossing is to be a minimum of 6 metres in width and shall be designed and certified by a registered professional engineer of Queensland (R.P.E.Q.). The engineer shall certify that the crossing is capable of conveying 50yr ARI flows with no afflux at Beach Road. The design, certification, construction and maintenance of the crossover is to be the owner's full responsibility. A letter from the North Burdekin Water Board (N.B.W.B.) shall be submitted to Council, stating their approval of the proposed crossing.

WATER SUPPLY WORKS INTERNAL

3.1 The applicant must connect proposed lot 4 to Council's reticulated water supply. The water connection must be provided at a location approved by Council and at the full cost of the developer.

3.2 The applicant must provide a certified statement from a licensed plumber that no existing interconnecting water supply plumbing crosses the boundaries between the proposed lots;

WATER SUPPLY AND SEWERAGE HEADWORKS

4. A contribution in terms of Council's Planning Scheme Policy for "Developer Contribution for Provision of Water Supply and Sewerage Services" is payable for one lot for water only. The amount will be calculated at the time of payment based on the charge applicable at the time.

PROPOSAL PLAN

5. The reconfiguration of the land must be carried out generally in accordance with:-

- (a) (i) the proposed Brazier Motti plan numbered 55651/001A;
- (ii) the plans, specifications, facts and circumstances as set out in the application submitted to Council; and
- (b) any approval issued under this approval; and
- (c) any development permit for operational works relating to the reconfiguring of a lot.

PUBLIC UTILITY SERVICES

6. If any existing public utility service including telephone, electricity, water, sewerage or gas needs to be altered or relocated to complete the reconfiguration the developer must bear the cost of alteration or relocation.

OPERATIONAL WORKS

7. Where operational works are required to be carried out for the reconfiguration, the developer must, within a period of two years from the date of this permit and prior to the commencement of any work, lodge with Council an application for a development permit for operational works. As part of such application, the developer must submit:-

- (a) detailed and complete engineering drawings and specifications of the proposed works prepared by a civil engineer, who is both registered under the Professional Engineer's Act 2002 and is a current Registered Professional Engineer of Queensland; and
- (b) a certificate from the engineer who prepared the drawings stating that the design and specifications have been prepared in accordance with these conditions, relevant Council Codes and Planning Scheme Policies and the relevant Australian Standard Codes of Practice.

ELECTRICITY SUPPLY AND STREET LIGHTING

8. The developer must prior to release of formal Plan of Survey submit a letter from Ergon Energy (or other suitable entity) stating that satisfactory arrangements have been made with it for the provision of an electricity supply to the subdivision.

CARRIED

Cr. McLaughlin returned to the meeting and resumed the Chair.

CLAUSE 13

COUNCIL APPROVES FUNDING TO COVER THE HIRE FEES FOR THE BURDEKIN THEATRE TO THE APPROXIMATE VALUE OF \$1937.10 (INCL. GST) TO HOLD PART OF THE ANNUAL AUSTRALIAN FESTIVAL OF CHAMBER MUSIC IN THE BURDEKIN

(I-DEV)

972413 - 03-08-11E - Mr A Vaccaro, Economic and Community Development Manager - Report - Sponsorship towards the Australian Festival of Chamber Music - A Breath of Fresh Ayr.

Moved Cr. Lewis, seconded Cr. List that Council approves funding to cover the hire fees for the Burdekin Theatre to the approximate value of \$1937.10 (incl. GST) to hold part of the annual Australian Festival of Chamber Music in the Burdekin.

CARRIED

CLAUSE 14

COUNCIL APPROVES DONATION OF \$4000.00 (INCL. GST) AND IN-KIND SUPPORT OF \$3000.00 TOWARDS THE 2010 HOME HILL HARVEST FESTIVAL

(I-DEV)

972414 - 03-08-11E & 01-10-38 - Mr A Vaccaro - Economic and Community Development Manager - Report - Sponsorship for 2010 Home Hill Harvest Festival.

Moved Cr. Loizou, seconded Cr. Dalle Cort that Council approves a donation of \$4000.00 (inc. GST) and in-kind support of \$3000.00 towards the 2010 Home Hill Harvest Festival.

CARRIED

CLAUSE 15

COUNCIL APPROVES DONATION OF \$4000.00 (INCL. GST) AND UP TO \$6000.00 IN-KIND SUPPORT TOWARDS THE 2010 BURDEKIN WATER FESTIVAL AND TASTES OF THE BURDEKIN

(I-DEV)

972415 - 03-08-11E & MF-17 - Mr A Vaccaro, Economic and Community Development Manager - Report - Sponsorship for 2010 Burdekin Water Festival and Tastes of the Burdekin.

Moved Cr. Lewis, seconded Cr. Dalle Cort that Council approves a donation of \$4000-00 (inc. GST) and up to \$6000.00 in-kind support towards the 2010 Burdekin Water Festival and Tastes of the Burdekin.

CARRIED

CLAUSE 16

CORRESPONDENCE FOR INFORMATION

1. 970522 * MF-09 & 01-10-03

Local Government Association of Queensland Inc - LGAQ

2010 LGAQ Disaster Management Conference.

2. 970523 * 03-08-03S & MF-17

Burdekin Community Association

Request for support for Burdekin Seniors Week 2010.

3. 970524 * MF-13

Kalamia State School

Request for advice regarding Kalamia State School car park upgrade.

4. 970893 * MF-16 & MF-23 & 01-10-03

Hon Betty Kiernan MP - Member for Mount Isa

Queensland State Emergency Services Non-Recurrent Subsidy Program - Application approved.

5. 971163 * 05-03-01 & 01-08-01

Hon Stirling Hinchliffe MP - Member for Stafford - Minister for Infrastructure and Planning

Release of the draft amendment to the Queensland Planning Provisions (QPP) for public consultation.

6. 971845 * 05-03-01

Local Government Association of Queensland Inc - LGAQ

LGAQ Circular - 2010-197 - Infrastructure Charges - Letter received from the Minister for Infrastructure and Planning.

7. 972025 * 03-08-11E

Burdekin Craft Spectacular

Thank you for sponsorship - 2010 Burdekin Craft Spectacular - 31 July 2010.

8. 972440 * 01-08-13 & MF-18

Local Government Managers Australia (LGMA) - QLD, VIC, NSW & WA

2010 Manager of the Year for Leadership and Management Excellence.

**9. 972441 * MF-07 & 01-10-13
Rockhampton City Council**

Eighth Annual Local Government Internal Audit Conference - 11 and 12 November, 2010 - Yeppoon.

**10. 972442 * 03-08-11M & MF-26
Hon Jason Clare MP - Parliamentary Secretary for Employment**

Regional Employment Plan - Townsville Priority employment area.

**11. 972443 * MF-11 & MF-14 & 05-03-01
Hon Stirling Hinchliffe MP - Member for Stafford - Minister for Infrastructure and Planning**

First State Interest Review of Burdekin Shire Planning Scheme draft Priority Infrastructure Plan finalised.

**12. 972444 * MF-11
Mr Aidan McLindon MP - Member for Beaudesert**

Queensland Party in progress of drafting first major policy platform relating to parliamentary reform in process.

**13. 972456 * 01-07-08 & 02-02-03
Local Government Association of Queensland Inc - LGAQ**

LGAQ Circular - 2010-204 - LGAQ Handbook to be updated.

**14. 972457 * 01-07-08 & 01-08-01 & 01-08-04
Local Government Association of Queensland Inc - LGAQ**

LGAQ Circular - 2010-205 - Publication of Council Submissions to Parliamentary Inquiries.

**15. 972471 * MF17 & MF-03
Burdekin Arts Council**

Thank you letter - Opening of Queensland Arts Council's Artsyakka Swapmeet - 29 June, 2010 - Burdekin Theatre.

**16. 972472 * 01-10-26 & MF-01 & MF-11
Queensland Health - Brisbane**

Active, healthy communities: A resource package for Local Government to create supportive environments for physical activity and healthy eating.

CLAUSE 17

COUNCILLORS BRIEFED ON THE IMPLEMENTATION OF COUNCIL'S PRIORITY INFRASTRUCTURE PLAN AND THE IMPLICATIONS OF THE STATE PLANNING INSTRUMENTS PROGRAM

Mr. Shane Great, Manager Planning and Development provided

Councillors with an update regarding the implementation of Council's Priority Infrastructure Plan and the implications of the State Planning Instruments Program which commenced on 1st July, 2010.

CLAUSE 18

COUNCIL TO ERECT 'ALCOHOL AND SMOKE FREE ZONE' SIGNAGE AT THE HOME HILL COMFORT STOP AND INCREASE SECURITY SURVEILLANCE AT VARIOUS PARKS THROUGHOUT THE COMMUNITY
(A-DEO)

Mr. Trevor Williams provided councillors with an overview of costings for the Home Hill Comfort Stop.

It was resolved that

1. Council erects signage advising visitors that the Home Hill Comfort Stop is an 'Alcohol and Smoke Free Zone' and;
2. Council increases security surveillance at various parks throughout the community.

CLAUSE 19

COUNCILLORS BRIEFED ON THE IMPLICATIONS OF THE MEMORANDUM OF AGREEMENT BETWEEN LOCAL GOVERNMENT, STATE GOVERNMENT AND INDUSTRY, LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND, DEPARTMENT OF ENVIRONMENT AND RESOURCE MANAGEMENT AND QUEENSLAND WATER REGARDING URBAN WATER MANAGEMENT

Mr. Trevor Williams, Director Environment and Operations provided Councillors with an update on the implications of the Memorandum of Agreement between Local Government, State Government and Industry, Local Government Association of Queensland, Department of Environment and Resource Management and Queensland Water regarding Urban Water Management.

CLAUSE 20

BITUMEN SEALING OF HORSESHOE ROAD, HORSESHOE LAGOON LISTED FOR CONSIDERATION FOR INCLUSION IN THE WORKS IMPLEMENTATION PROGRAMME
(I-TECH)

Moved Cr. Gazziola, seconded Cr. Loizou that bitumen sealing of Horseshoe Road, Horseshoe Lagoon adjacent to residences be listed for consideration for inclusion in the Works Implementation Programme.

CARRIED

CLAUSE 21

**RECONSTRUCTION OF FIRST COUPLE OF HUNDRED METRES OF HODEL ROAD,
GIRU (EASTERN SIDE OF BRUCE HIGHWAY) LISTED FOR CONSIDERATION FOR
INCLUSION IN THE WORKS IMPLEMENTATION PROGRAMME
(I-TECH)**

Moved Cr. Gazziola, seconded Cr. Dalle Cort that reconstruction of the first couple of hundred metres of Hodel Road, Giru (eastern side of Bruce Highway) be listed for consideration for inclusion in the Works Implementation Programme.

CARRIED

CLAUSE 22

**CR. DALLE CORT GRANTED LEAVE OF ABSENCE FOR PERIOD 10TH TO 24TH
AUGUST, 2010
(I-HRES)**

Cr. Dalle Cort requested leave of absence for the period 10th to 24th August, 2010.

Moved Cr. Haynes, seconded Cr. Lewis that Cr. Dalle Cort be granted leave of absence for the period 10th to 24th August, 2010

CARRIED

CLAUSE 23

**CR. LEWIS GRANTED LEAVE OF ABSENCE FOR PERIOD 27TH SEPTEMBER TO
31ST OCTOBER, 2010
(I-HRES)**

Cr. Lewis requested leave of absence for the period 27th September to 31st October, 2010.

Moved Cr. Loizou, seconded Cr. Haynes that Cr. Lewis be granted leave of absence for the period 27th September to 31st October, 2010

CARRIED

CLAUSE 24

**COUNCIL APPROVES REQUEST FROM BURDEKIN ARTS COUNCIL FOR
PROVISION OF BUS TRANSPORT FOR THE COMMUTING OF TOUR GUIDES TO
TOWNSVILLE FOR THE AUSTRALIAN FESTIVAL OF CHAMBER MUSIC, BREATH OF
FRESH AYR CONCERT TO BE HELD ON 2ND AUGUST, 2010**

Moved Cr. Haynes, seconded Cr. Loizou that Council approves the request from Burdekin Arts Council for provision of bus transport for the commuting of tour guides to Townsville for The Australian Festival of Chamber Music, Breath of Fresh Ayr concert to be held on 2nd August, 2010.

CARRIED

There being no further business the meeting closed at 11.30am.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 10th August, 2010.

MAYOR