



**BURDEKIN SHIRE COUNCIL**



# **MINUTES**

## **ORDINARY COUNCIL MEETING**

**HELD AT COUNCIL ADMINISTRATION BUILDING,  
145 YOUNG STREET, AYR**

**on 05 June 2012**

**COMMENCING AT 9:00AM**



**TUESDAY 5 JUNE 2012**

## **ORDER OF BUSINESS:**

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# BURDEKIN SHIRE COUNCIL



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## **ATTENDANCE**

Councillors W.C. Lowis (Mayor), R.H. Lewis (Deputy Mayor), L.D. McCathie, L. Loizou, U.E. Liessmann and E.J. Bawden

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  
Miss T. Jensen - Manager Environment and Health  
Mr. W. Saldumbide - Manager Operations  
Mr. K. Byers - Manager Technical Services

Minutes Clerk – Mrs. Vicki Walker

Apologies: Councillor P.M. Dalle Cort

## **1 PRAYER**

The meeting prayer was delivered by Councillor Loizou.

## **2 DECLARATIONS OF INTEREST**

The Mayor called for declarations of interest.

- Councillor McCathie declared a material personal interest in respect of the following agenda items:
  - 5.1 – the business is listed for sale with McCathie's Real Estate of which she is an owner.
  - 5.2 – McCathie's Real Estate has a contract on the property which is the subject of the development application.
- Councillor Lewis declared a material personal interest in respect of agenda item 6.3 as he is a partner in BQC Quarries, a tenderer for the Supply & Delivery of Stone Products.

## **3 MINUTES AND BUSINESS ARISING**

### **3.1 Ordinary Council Meeting Minutes - 22 May 2012**

#### **Recommendation**

That the minutes of the Ordinary Council Meeting held on 22 May 2012 be received as a true and correct record.

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## **Resolution**

Moved Councillor Loizou, seconded Councillor Lewis that the recommendation be adopted.

CARRIED

## **Business Arising**

10.1 Councillor McCathie advised that she would now not be attending the 2012 Australian Local Government Women's Association Qld Branch Conference in Cairns from 25 to 27 July, 2012.

### **3.2 Budget Workshop Minutes - 29 May 2012**

#### **Recommendation**

That the minutes of the Budget Workshop held on 29 May 2012 be received as a true and correct record.

#### **Resolution**

Moved Councillor McCathie, seconded Councillor Liessmann that the recommendation be adopted.

CARRIED

### **3.3 Burdekin Cultural Complex Board Inc Minutes. - 20 February 2012**

#### **Recommendation**

That the minutes of the Burdekin Cultural Complex Board Inc. General Meeting held on 20 February 2012 be received and adopted.

#### **Resolution**

Moved Councillor Lewis, seconded Councillor Liessmann that the recommendation be adopted.

CARRIED

### **3.4 Burdekin Building Safer Communities Action Team Minutes - 14th March, 2012**

#### **Recommendation**

That the minutes of the Burdekin Building Safer Communities Action Team Meeting held on 14<sup>th</sup> March, 2012 be received and adopted.

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## **Resolution**

Moved Councillor McCathie, seconded Councillor Loizou that the recommendation be adopted.

CARRIED

### **3.5 Burdekin Shire Youth Council Minutes - 26th March 2012**

## **Recommendation**

That the minutes of the Burdekin Shire Youth Council Meeting held on 26<sup>th</sup> March 2012 be received and adopted.

## **Resolution**

Moved Councillor Lewis, seconded Councillor Bawden that the recommendation be adopted.

CARRIED

### **3.6 Burdekin Shire Youth Council Minutes - 23rd April 2012**

## **Recommendation**

That the minutes of the Burdekin Shire Youth Council Meeting held on 23<sup>rd</sup> April 2012 be received and adopted.

## **Resolution**

Moved Councillor Loizou, seconded Councillor McCathie that the recommendation be adopted.

CARRIED

### **3.7 Burdekin Building Safer Communities Action Team Minutes - 9th May 2012**

## **Recommendation**

That the minutes of the Burdekin Building Safer Communities Action Team Meeting held on 9<sup>th</sup> May 2012 be received and adopted.

## **Resolution**

Moved Councillor Lewis, seconded Councillor McCathie that the recommendation be adopted.

CARRIED

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Note: It was noted that Councillor McCathie attended this meeting, but at the time she was not Burdekin Shire Council's official representative.

### **3.8 Burdekin Road Safety Advisory Committee Meeting Minutes - 23 May 2012**

#### **Recommendation**

That the minutes of the Burdekin Road Safety Advisory Committee Meeting held on 23 May 2012 be received and adopted.

#### **Resolution**

Moved Councillor Lewis, seconded Councillor Loizou that the recommendation be adopted.

CARRIED

#### **Business Arising**

Moved Councillor Loizou, seconded Councillor Liessmann that Council writes to the Department of Transport and Main Roads requesting upgrading works be scheduled for the following sections of the Bruce Highway:

Eighth Avenue – between Sixth Street and First Street

Seventh Avenue – from the open level crossing to Kidby Gully

CARRIED

## **4 REPORTS**

## **5 ENVIRONMENT & OPERATIONS**

### **5.1 Colleen Goodwill - Development Application for Material Change of Use for Home Occupation (Pet Grooming) at 45 Beach Road, Ayr (Lot 14 on RP736885 Parish of Antill, County of Gladstone)**

Councillor McCathie declared a material personal interest in respect of agenda items:

5.1 – the business is listed for sale with McCathie's Real Estate of which she is an owner;

5.2 – McCathie's Real Estate has a contract on the property which is the subject of the development application;

and left the meeting.

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## **Executive Summary**

An application has been received from Colleen Goodwill, seeking approval for a Home Occupation – Pet Grooming at 45 Beach Road, Ayr (Lot 14 on RP736885 Parish of Antill, County of Gladstone). A Development Application (Impact Assessable) has been triggered in accordance with the Burdekin Shire Council's IPA Planning Scheme.

## **Recommendation**

That Council approves the Development Application for a Material Change of Use for a Home Occupation – Pet Grooming at 45 Beach Road, Ayr (Lot 14 on RP736885 Parish of Antill, County of Gladstone) subject to the following conditions:

### **GENERAL**

- 1.1 The conditions of the development permit must be effected prior to the commencement of the use, except where specified otherwise in these conditions of approval.
- 1.2 The Home Occupation can only be operated strictly in accordance with the supporting material and approved plans submitted with the application and can only be conducted by a person resident therein.
- 1.3 No source of power other than one or more single phase electric motors having a total connected load of not more than 2.2 kilowatts is used.
- 1.4 The floor area used (whether temporarily or permanently) does not exceed more than one-third of the total floor area of the dwelling house, except with and in accordance with the conditions of an express permission of the Council.
- 1.5 No load is imposed on any local utility greater than that which is normally required by other uses permitted in the zone in which the dwelling house is situated.
- 1.6 No machinery or apparatus causing interference with reception of radio or television signals is used or operated.
- 1.7 There is no public display of goods on the premises.
- 1.8 Only one sign with a maximum face area of 0.5 m<sup>2</sup> and bearing only the name of the person carrying out the business and the type of business is to be provided on the premises.
- 1.9 The activity does not cause any injury to or have a prejudicial effect on the amenity of the locality in which it is carried out due to the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, waste products, or anything whatsoever.
- 1.10 The approved use shall be undertaken so that no undue disturbance is caused to neighbouring properties by virtue of noise, bright lights, traffic movements or interference with radio and television reception.

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## **BUILDING WORK**

2. A development permit for Building Works is to be obtained before any building works are carried out on the premise.

## **EXTERNAL WORKS**

3. The developer must at its own cost undertake all necessary alterations to public utility mains and services as are rendered necessary by the carrying out of any required external works or other works associated with the approved development.

## **ROADWORKS**

4. 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.

## **ENVIRONMENTAL AND HEALTH**

- 5.1 There must be no release of waste water from the activity to any land, stormwater or roadside gutters from the activity except to sewer in accordance with Burdekin Shire Council's Trade Waste Policy.
- 5.2 No overnight boarding of dogs is permitted as part of the approval for the home occupation.
- 5.3 The activity must not cause a nuisance as a result of animal noise or from the release of odours or contaminants.

### **Advice only**

- The footpath between the kerb and property boundary is to be kept clear of parked vehicles.

## **Resolution**

Moved Councillor Loizou, seconded Councillor Lewis that the recommendation be adopted.

CARRIED

- 5.2 **K Zabel - Development Application for Reconfiguring a Lot at 25 Cornford Crescent, Ayr (Lot 29 on SP226261 Parish of Antill, County of Gladstone)**

## **Executive Summary**

An application has been received from Brazier Motti on behalf of their client K Zabel seeking approval for Reconfiguring a Lot (Subdivision) at 25 Cornford Crescent, Ayr (Lot 29 on SP226261 Parish of Antill, County of Gladstone). A Development Application (Code

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Assessable) has been triggered in accordance with the Burdekin Shire IPA Planning Scheme.

## **Recommendation**

That Council approves the Development Application for Reconfiguring a Lot (Subdivision) at 25 Cornford Crescent, Ayr (Lot 29 on SP226261 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 \$59.60 calculated on the basis of a charge of \$29.80 per lot to be levied on the Council by the Department of Environment & Resource Management for each new valuation.

## **PROPOSAL PLAN**

2. The reconfiguration of the land must be carried out generally in accordance with:-
  - (a) (i) the proposed Brazier Motti plans numbered 55726/001A,
  - (ii) the plans, specifications, facts and circumstances as set out in the application submitted to Council;

Except where modified by the conditions of approval and any approval issued there under; and

- (b) any approval issued under this approval; and
- (c) any development permit for operational works relating to the reconfiguring of a lot;

## **DRAINAGE**

3. The approved development and use(s) must not interfere with the natural flow of stormwater in the locality in such a manner as to cause ponding or concentration of stormwater on adjoining land or roads.

## **ROADWORKS**

4. 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.

## **OPERATIONAL WORKS**

5. Where operational works are required to be carried out for the reconfiguration, the developer must, within the timeframe required by the Sustainable Planning Act 2009 and prior to the commencement of any work, lodge with Council an application for a development permit for operational works.

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## **PUBLIC UTILITY SERVICES**

6. The developer must at its own cost undertake all necessary alterations to public utility mains and services as are rendered necessary by the carrying out of any required external works or other works associated with the approved development.

## **ELECTRICITY SUPPLY AND STREET LIGHTING**

7. 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.

## **WATER SUPPLY WORKS INTERNAL**

- 8.1 The development must be connected 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. Each of the proposed lots shall have separate water services.
- 8.2 Any connection or upgrades to Council's existing water infrastructure required by the development shall be carried out by the Council at the developer's full cost.
- 8.3 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 HEADWORKS**

9. The developer must contribute in accordance with Council's Planning Scheme Policy for Infrastructure Provision - Developer Contribution for Provision of Water supply is payable, the contribution must be paid at the rate current at the time of payment.

### ***ADVICE (Note: These are not conditions)***

- *Unless otherwise specified by these conditions, the conditions must be complied with prior to approval of the Plan of Survey*
- *It should be noted that occupants of any future proposed dwelling on the subject lots, may be subject to noise from existing nearby industrial use. The order of occupancy of the use will be considered in any assessment of environmental nuisance should any complaint of environmental nuisance be made in the future.*

## **Resolution**

Moved Councillor Lewis, seconded Councillor Liessmann that the recommendation be adopted.

## **CARRIED**

Councillor McCathie returned to the meeting.

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**5.3 TFS Properties Limited - Development Application for Material Change of Use to establish a Sandalwood Industry (Forestry) at 6898 & 6884 Ayr Dalbeg Road, Millaroo (Lots 120 & 122 on GS453, Parish of Millaroo, County of Gladstone)**

**Executive Summary**

An application has been received from Groves & Clark Solicitors on behalf of their client TFS Properties Limited seeking approval for a Material Change of Use to establish a Sandalwood Industry (forestry) at 6898 & 6884 Ayr Dalbeg Road, Millaroo (Lots 120 & 122 on GS453 Parish of Millaroo, County of Gladstone). A Development Application (Code Assessable) has been triggered in accordance with the Burdekin Shire IPA Planning Scheme.

**Recommendation**

That Council approves the Development Application for a Material Change of Use to establish a Sandalwood Industry at 6898 & 6884 Ayr Dalbeg Road, Millaroo (Lots 120 & 122 on GS453, Parish of Millaroo, County of Gladstone) subject to the following conditions:

**GENERAL**

- 1.1 The conditions of the development permit must be achieved prior to the commencement of the use, except where specified otherwise in these conditions of approval.
- 1.2 The development and conduct of the approved use of the premises, the carrying out and maintenance of any works on the premises and construction and maintenance of any building on the premises must be generally in accordance with the supporting documents in the application submitted.
- 1.3 Harvesting of the sandalwood trees are to be conducted in an ecologically sustainable manner to ensure that no adverse environmental impacts arise.

**ROADWORKS**

2. 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.

**DRAINAGE**

3. The approved development and use(s) must not interfere with the natural flow of stormwater in the locality in such a manner as to cause ponding or concentration of stormwater on adjoining land or roads.

**BUILDING WORK**

4. A development permit for Building Works is to be obtained before any building works are carried out on the premise.

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## EXTERNAL WORKS

5. The developer must at its own cost undertake all necessary alterations to public utility mains and services as are rendered necessary by the carrying out of any required external works or other works associated with the approved development.

### **ADVICE (Note: These are not conditions)**

- *Any burning on site of crop or waste material is done in accordance with a permit from Queensland Fire & Rescue Service (QFRS).*

## Resolution

Moved Councillor Loizou, seconded Councillor Lewis that the recommendation be adopted.

CARRIED

## **5.4 Lot 27 on AP2092 - Plantation Creek, Jarvisfield (Parish of Morrill, County of Gladstone) Surrender and Reissue of Permit to Occupy over land**

## Executive Summary

A request has been received from A McGilvary, seeking Council's views in respect of the surrender and reissue of Permit to Occupy over land described as Lot 27 on AP2092 Plantation Creek, Jarvisfield (Parish of Morrill, County of Gladstone), in accordance with the Departments requirements.

## Recommendation

That Council offers no objection to the request from A McGilvary for the surrender and reissue of Permit to Occupy over land described as Lot 27 on AP2092 Plantation Creek, Jarvisfield (Parish of Morrill, County of Gladstone).

## Resolution

Moved Councillor McCathie, seconded Councillor Liessmann that the recommendation be adopted.

CARRIED

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## 6 CORPORATE & COMMUNITY SERVICES

### 6.1 Flexible Funding Program - Proposed Projects

#### Executive Summary

Burdekin Shire Council has been allocated \$150,000 over two years under the Flexible Funding Program. These funds will be used for community-led projects that help local communities recover from the impacts of the recent flood and cyclone disasters and build their preparedness to respond to, manage and recover from future natural disasters.

Council endorsement of the projects proposed to acquit these funds is now required.

#### Recommendation

Council endorses the use of the Flexible Funding Program allocation in the manner proposed.

Disaster Survival for Kids Competition	<p>Two aged-based categories (primary / upper secondary).</p> <p><u>Primary</u></p> <ul style="list-style-type: none"><li>• what to do when preparing for a disaster / during a disaster</li></ul> <p><u>Secondary</u></p> <ul style="list-style-type: none"><li>• submit recipes using pantry contents that can be prepared when there is no power (could include BBQ-cooked recipes)</li><li>• what to do when preparing for a disaster / during a disaster</li></ul> <p>Top submissions will be published in a guide, which will be distributed to all school-aged children in the Shire</p>
Disaster Info Packs and support for Local Festivals	<p>Participation in the Burdekin Water Festival (held in September) &amp; Home Hill Harvest Festival (held in November)</p> <p>At each festival there will be a stall providing disaster preparedness information packs. Packs could include brochures, info magnets, wind-up torches, emergency kit drink coolers, Disaster Survival for Kids Guide in a "green bag"</p>

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Disaster Coordination Support Officer	Part-time contract position (12 months) <ul style="list-style-type: none"> <li>• Coordinate preparation of disaster information packs</li> <li>• Work at festival stalls</li> <li>• Coordinate Disaster Survival for Kids competition</li> <li>• Coordinate promotion of disaster preparedness information / activities</li> <li>• Update disaster management information on Council web site</li> <li>• Support Local Disaster Coordinator</li> </ul>
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## Resolution

Moved Councillor Lewis, seconded Councillor Loizou that the recommendation be adopted with the inclusion of the wording "or interested community organisation" following the wording "Part-time contract position (12 months)" (in reference to the Disaster Coordination Support Officer).

CARRIED

## 6.2 Burdekin Tourism Association request for financial assistance for 2012-2013

### Executive Summary

The Burdekin Tourism Association has written to Council requesting financial assistance for 2012/13.

### Recommendation

Council approves funding of \$10,000.00 (exc. GST) to the Burdekin Tourism Association for 2012/13.

## Resolution

Moved Councillor Lewis, seconded Councillor McCathie that the recommendation be adopted.

CARRIED

## 6.3 Annual Tenders for Period 1 July 2012 to 30 June 2013

Councillor Lewis declared a material personal interest in respect of agenda item 6.3 as he is a partner in BQC Quarries, a tenderer for the Supply & Delivery of Stone Products, and left the meeting.

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## Executive Summary

Annual Tenders as listed below were called in the Ayr Advocate and Townsville Bulletin on Friday 23rd and Saturday 24<sup>th</sup> March, 2012 respectively.

## Recommendation

That Council accepts tenders as follows:

- (1) TBSC/12/04 – Supply & Delivery of Bitumen, Bitumen Emulsion, Premix & Asphalt Products – 2012/2013

It is recommended that Council accepts the tenders from Fulton Hogan, Road Maintenance Service Pty Ltd and Rock n Road Bitumen Pty Ltd with authorised Requisitioning Officers to choose the most advantageous supplier for the relevant product on a job by job basis using the Tender Schedule of Rates.

- (2) TBSC/12/05 – Supply & Delivery of Stone Products – 2012/2013

It is recommended that Council accepts the tender from BQC Quarries based on previous supply history and BQC Quarries being the sole submission received.

## Resolution

Moved Councillor Loizou, seconded Councillor Liessmann that the recommendation be adopted.

CARRIED

Councillor Lewis returned to the meeting.

## 7 CORRESPONDENCE FOR INFORMATION

- 7.1 **Council to express concern at lack of Queensland Transport Licensing Services provided at Ayr Police Station**

### Resolution

Moved Councillor Loizou, seconded Councillor Liessmann that Council corresponds with the Minister for Transport and Main Roads expressing concern at the lack of service provided at the Ayr Police Station with regard to Queensland Transport licensing operations, and highlighting the difficulties this causes for the community. (Letter No. 1171225)

CARRIED

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**7.2 Correspondence to be forwarded advising that Burdekin Shire Council would welcome opportunity to meet with Senator Barnaby Joyce**

**Resolution**

Moved Councillor Lewis, seconded Councillor McCathie that Council corresponds with Senator Barnaby Joyce advising of the Shire's newly elected Mayor, Councillor Lewis, and advising that he and the new council would welcome the opportunity to meet with the Senator at a suitable time. (Letter No. 1169722)

CARRIED

**8 NOTICES OF MOTION**

**9 URGENT BUSINESS**

**10 GENERAL BUSINESS**

**10.1 Councillor Lewis appointed as Council's representative on North Queensland Sports Foundation**

**Resolution**

Moved Councillor Loizou, seconded Councillor McCathie that Councillor Lewis be appointed as Council's representative on the North Queensland Sports Foundation.

CARRIED

**10.2 Councillor Lewis appointed to Burdekin Shire Rivers Improvement Trust**

**Resolution**

Moved Councillor Lewis, seconded Councillor Loizou that the Mayor, Councillor Lewis be appointed to the Burdekin Shire Rivers Improvement Trust.

CARRIED

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### **10.3 Council names un-named Road off Old Clare Road "Claussen Lane"**

#### **Resolution**

Moved Councillor Lewis, seconded Councillor McCathie that the un-named road off Old Clare Road between Lot 114 GS479 and Lot 127 GS1019, Parish of Jarvisfield, County of Gladstone be officially named "Claussen Lane".

CARRIED

### **10.4 Councillor Loizou granted Leave of Absence**

#### **Resolution**

Moved Councillor Lewis, seconded Councillor Bawden that Councillor Loizou be granted leave of absence from 25 June to 29 June 2012 to attend the Irrigation Australia Conference in Adelaide.

CARRIED

### **10.5 Councillor Lewis granted Leave of Absence**

#### **Resolution**

Moved Councillor Liessmann, seconded Councillor Bawden that Councillor Lewis be granted leave of absence from 14 August to 25 September, 2012.

CARRIED

## **11 IN COMMITTEE DISCUSSIONS**

### **Council meets In Committee under Section 72 of Local Government (Operations) Regulation 2010**

#### **Resolution**

Moved Councillor Lewis, seconded Councillor Loizou that the Council meets in committee under the following sections of the Local Government (Operations) Regulation 2010:

72(1)(c) the Council's budget.

CARRIED

Councillor Lewis left the meeting during in committee discussions.

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## **Ordinary Meeting of Council Resumed**

### **Resolution**

Moved Councillor Loizou, seconded Councillor Liessmann that the ordinary meeting of Council be resumed.

CARRIED

### **11.1 Council approves upgrade to 2 Bedroom Demountable for Caretaker's Accommodation at Ayr Showgrounds**

#### **Resolution**

Moved Councillor McCathie, seconded Councillor Loizou that Council approves the upgrade from a 1 bedroom to a 2 bedroom demountable for the Caretaker's accommodation at the Ayr Showgrounds at an estimated cost of \$16,709 (inc GST) subject to the Ayr Pastoral Agricultural & Industrial Association Inc. contributing 50% of the cost of the upgrade.

CARRIED

## **12 DELEGATIONS**

10.15 am – Introduction of 2012 Youth Council Executive - Lexi Haselton (Youth Mayor), Emma Trueman (Deputy Youth Mayor), Maigen Edwards (Secretary)

There being no further business the meeting closed at 5.05 p.m.

**These minutes were confirmed by Council at the Ordinary Council Meeting held on 26 June 2012.**

**MAYOR**

