



BURDEKIN SHIRE COUNCIL



MINUTES

ORDINARY COUNCIL MEETING

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

on 09 July 2013

COMMENCING AT 9:20AM



TUESDAY 9 JULY 2013

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ATTENDANCE

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

Mr. K. Holt - Chief Executive Officer
Mr. D.P. Mulcahy - Director Corporate and Community Services
Mr. S. Great - Manager Planning and Development
Mrs B. Whitworth - Acting Manager Environment and Health
Mr. G. Keane - Acting Manager Operations
Mr. K. Byers - Manager Technical Services

Minutes Clerk - Miss Tayla Drain

Apologies - Mr. T.G. Williams - Director Environment and Operations

Leave of Absence - Councillor L. Loizou

1 PRAYER

The meeting prayer was delivered by Greg Rankin of the Burdekin Uniting Church at the earlier Budget Meeting which commenced at 9.00am.

2 DECLARATIONS OF INTEREST

The Mayor called for declarations of interest.

No declarations of interest were identified.

3 MINUTES AND BUSINESS ARISING

3.1 Ordinary Council Meeting Minutes - 25 June 2013

Recommendation

That the minutes of the Ordinary Council Meeting held on 25 June 2013 be received as a true and correct record.

Resolution

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

CARRIED

3.5 Business Arising - Gudjuda Reference Group - Material Change of Use for Social Enterprise at Old Home Hill Show Grounds Corner of Hurney and Georgees Roads, Home Hill Lots 91 and 99 on SB202 and Lot 347 on SB365 Parish of Inkerman, County of Salisbury

Council considered the following matter laid on the table at the previous Ordinary Council Meeting held on 25 June 2013.

Executive Summary

An application has been received from Gudjuda Reference Group Aboriginal Corporation Inc., seeking approval for a Material Change of Use for 'Social Enterprise' at Gudjuda Reference Group - Material Change of Use for Social Enterprise at Old Home Hill Show Grounds Corner of Hurney and Georgees Roads, Home Hill Lots 91 and 99 on SB202 and Lot 347 on SB365 (Parish of Inkerman, County of Salisbury). 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 'Social Enterprise' at the Gudjuda Reference Group - Material Change of Use for Social Enterprise at Old Home Hill Show Grounds Corner of Hurney and Georgees Roads, Home Hill Lots 91 and 99 on SB202 and Lot 347 on SB365 (Parish of Inkerman, County of Salisbury) 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 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 All wastes and rubbish shall be stored, collected and disposed of to the satisfaction of the Council, and in accordance with Council's Waste Management Policy and the Environmental Protection (Waste Management) Regulation 2000, with all associated costs to be borne by the applicant. No wastes or rubbish shall be burned on-site. A suitably sized area to store and washout bins must be provided. The area shall:
 - Be of adequate size for the storage of refuse bins;
 - Have an 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 roofed to prevent ingress of stormwater. If not, a first flush diversion valve shall be fitted; and

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- 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)
- 1.4 The maximum duration of stay by any occupants of the Motorhome Park, to be included as part of the 'Social Enterprise' approval, is limited to 4 consecutive days in any calendar month.
 - 1.5 The Motorhome Park, to be included as part of the 'Social Enterprise' approval, is operated as a 'not for profit' activity and must not be operated as a commercial venture. Fees must not be collected or advertised for the use of the Motorhome Park.
 - 1.6 A register containing the name, date of arrival and date of departure of all occupants of the Motorhome Park, to be included as part of the 'Social Enterprise' approval, is maintained and is available for inspection at all times.
 - 1.7 All grey and black waste water generated from occupants of the Motorhome Park, to be included as part of the 'Social Enterprise' approval, MUST be retained in holding tanks at all times. Management of the facility will ensure that waste water generated from any motorhome is not released to the land at any time.
 - 1.8 The activities to be conducted on site must not cause an environmental nuisance as the result of the generation of any noise, dust or emission to the air or land or from any lighting provided.
 - 1.9 The Motorhome Park, to be included as part of the 'Social Enterprise' approval, is only allowed a maximum of 30 motorhomes at any one time.
 - 1.10 The Motorhome Park, to be included as part of the 'Social Enterprise' approval, must appoint a caretaker to manage the park on a full time basis. A caretaker must be on the premises 24 hours a day 7 days a week and be able to produce a register containing details of all motorhomes on site.
 - 1.11 The Motorhome Park, to be included as part of the 'Social Enterprise' approval, is to be operated in accordance with the Campervan and Motorhome Club of Australia's 'Leave No Trace Self Containment Code of Conduct Scheme'.
 - 1.12 Motorhomes must have a minimum separation distance of 3 metres between each motorhome when parking on the site.
 - 1.13 The Motorhome Park is for self contained motor homes displaying the Leave No Trace accreditation card only. Non self-contained motorhomes, caravans, tents or other camping must not be located on the subject site at any time.
 - 1.14 All facilities provided for occupants of mobile homes must be maintained in a clean and sanitary state and available for use by the occupants at all times the site is open.

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- 1.15 Provide an acceptable separation distance between any agricultural activity conducted on-site and mobilehome parking sites to minimise unacceptable emissions including dust, fumes, noise and spray-drift.
 - 1.16 Any promotional, one off or annual event is to comply with Council's Local Laws including gaining any necessary approvals.

BUILDING WORK

2. A development permit for all assessable 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.

TRAFFIC AND ACCESS

- 4.1 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.
- 4.2 All access to the site shall be via Sixth Avenue. With the exception of emergency vehicles, no access will be permitted from Hurney Road.
- 4.3 All internal roads are to be constructed to an acceptable standard that will allow all weather vehicle movements. Internal roads shall be constructed of a suitable dust suppressant material and designed to cater for all anticipated vehicle use enabling suitable manoeuvrability and safety whilst avoiding congestion.
- 4.4 Provide adequate car parking including eight hardstand staff/client carparks at the skills centre (Refer site plan). The carparks are to be constructed of a suitable dust suppressant material that allows for all weather use and accommodates overland stormwater flows and infiltration.

DRAINAGE

- 5.1 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.
- 5.2 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system.

AMENITY – SCREEN FENCING

- 6.1 A 1.8m high screen fence must be provided and maintained along the adjoining property boundaries. The type and design must be submitted and approved by the Chief Executive Officer as part of the Landscaping Plan.

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- 6.2 Provide a Landscaping Plan incorporating strategies on how buffer and screening mechanisms will be established to ensure both internal and external land uses minimise any negative impacts on existing and proposed amenity. The plan is to include design elements that identify the location and type of plantings and other landscape initiatives.

ADVICE ONLY:

- The applicant is advised that Council has no future plans to upgrade and/or maintain in excess of current road standards to which the site has frontage.
- Any food prepared or sold from the site must comply with the provisions of the *Food Act 2006*.

Motion from 25 June 2013

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

CARRIED

Amendment to the Motion

Moved Councillor McCathie, seconded Councillor Liessmann that the recommendation be adopted with the following amendments:

1. Amend 1.9 to read as follows:

"The Motorhome Park, to be included as part of the 'Social Enterprise' approval, is only allowed a maximum of 50 motorhomes at any one time."

2. Amend 1.13 to read as follows:

"The Motorhome Park is for self contained motor homes and self contained caravans displaying the Leave No Trace accreditation card only. Non self-contained motorhomes, caravans, tents or other camping must not be located on the subject site at any time."

3. Amend 1.12 to read as follows:

"Motorhomes and caravans must have a minimum separation distance of 3 metres between each motorhome when parking on the site."

4. Amend 4.1 to read as follows:

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

CARRIED

Voting on the Amendment as Motion

CARRIED

3.2 Burdekin Shire Youth Council Meeting Minutes - 3 June 2013

Recommendation

That the minutes of the Burdekin Shire Youth Council Meeting held on 3 June 2013 be received and adopted.

Resolution

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

CARRIED

3.3 Burdekin Be Active Advisory Committee Meeting Minutes - 5 June 2013

Recommendation

That the minutes of the Burdekin Be Active Advisory Committee Meeting held on 5 June 2013 be received and adopted.

Resolution

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

CARRIED

3.4 Building Safer Communities Action Team Meeting Minutes - 12 June 2013

Recommendation

That the minutes of the Building Safer Communities Action Team Meeting held on 12 June 2013 be received and adopted.

Resolution

Moved Councillor Bawden, seconded Councillor Dalle Cort that the recommendation be adopted.

CARRIED

4 REPORTS

5 ENVIRONMENT & OPERATIONS

5.1 QLD Health - Development Application Material Change of Use for modification and updates to the Ayr Hospital at 2-12 and 14-16 Chippendale Street, Ayr (Lot 139 on GS96, Lot 61 on GS676, Parish of Antill, County of Gladstone)

Executive Summary

An application has been received from GHD Pty Ltd on behalf of their clients Queensland Health, seeking approval for a Material Change of Use for Modification and updates to the Ayr Hospital at 2-12 and 14-16 Chippendale Street, Ayr (Lot 139 on GS96, Lot 676, 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 modification and updates to the Ayr Hospital at 2-12 and 14-16 Chippendale Street, Ayr (Lot 139 on GS96, Lot 676, 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 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 plans and supporting documents in the application submitted.

BUILDING WORK

2. A development permit for all assessable 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.

DRAINAGE

- 5.1 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.
- 5.2 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system.

OPERATIONAL WORKS

6. 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. 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 current Registered Professional Engineer of Queensland; and
 - (b) 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;

Resolution

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

CARRIED

6 CORPORATE & COMMUNITY SERVICES

6.1 Contribution towards 2013 Tastes of the Burdekin and Burdekin Water Festival

Executive Summary

The Burdekin Water Festival Committee requested financial and in-kind assistance towards the 2013 Tastes of the Burdekin and Burdekin Water Festival. Last year, Council donated \$4000 plus in kind support to the value of \$3000 towards Tastes of the Burdekin and \$5000 plus in kind support to the value of \$3000 towards the Burdekin Water Festival.

Recommendation

Council approves a donation of \$4000.00 (inc. GST) and up to \$3000.00 in kind support towards the 2013 Tastes of the Burdekin and a donation of \$5000.00 (inc. GST) and up to \$3000.00 in-kind support towards the 2013 Burdekin Water Festival.

Resolution

Moved Councillor Dalle Cort, seconded Councillor Lewis that the recommendation be adopted.

CARRIED

7 CORRESPONDENCE FOR INFORMATION

7.1 Decline of Membership Offer - LGAQ Coastal Councils' Adaptation Taskforce

Resolution

Moved Councillor Lewis, seconded Councillor Liessmann that Council declines the offer to become a member of the Local Government Association of Queensland's Coastal Councils' Adaptation Taskforce.

CARRIED

8 NOTICES OF MOTION

9 URGENT BUSINESS

10 GENERAL BUSINESS

10.1 Adoption of Wastewater Asset Management Plan

Resolution

Moved Councillor Liessmann, seconded Councillor Lewis that Council adopts the Wastewater Asset Management Plan as tabled.

CARRIED

10.2 Leave of Absence Granted - Councillor Liessmann

Resolution

Moved Councillor Liessmann, seconded Councillor Lewis that Councillor Liessmann be granted leave of absence for 13 August 2013.

CARRIED

10.3 Council donates Fill to Burdekin BMX Club and Burdekin Rugby Union Club

Resolution

Moved Councillor Bawden, seconded Councillor Liessmann that Council agrees to:

1. Deliver 300 cubic metres of select soil to the Burdekin BMX Club, to be temporarily stored on Council's land adjacent the BMX Club's lease and;
2. Deliver 1000 cubic metres of clean fill to the Burdekin Rugby Union Club;

with both lots of materials being provided through NDRRA works.

CARRIED

10.4 Removal of Contaminated Soil - Gudjuda Reference Group

Resolution

Moved Councillor McCathie, seconded Councillor Liessmann that Council writes to the Gudjuda Reference Group to ascertain if the soil currently being stockpiled at the Home Hill Showgrounds is considered a waste; and if so, the group be ordered to take appropriate action to ensure that the activity ceases immediately and the stockpile disposed of in accordance with relevant statutory waste management guidelines.

CARRIED

11 CLOSED MEETING ITEMS

Council Meeting closed to Public under Section 275 of Local Government Regulation 2012

Resolution

Moved Councillor Lewis, seconded Councillor Bawden that the Council meeting be closed to the public under the following sections of the Local Government Regulation 2012:

275(1)(a) the appointment, dismissal or discipline of employees;

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- 275(1)(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 a financial advantage.

for the purpose of discussing:

- Staffing matter
- Application for an extended liquor licence associated with Burdekin Water Festival.

Council Meeting opened to Public

Resolution

Moved Councillor Lewis, seconded Councillor Liessmann that the Council meeting be opened to the public.

CARRIED

11.1 Extension of Liquor Licence Area - Coutts Commercial Tavern

Resolution

Moved Councillor McCathie, seconded Councillor Bawden that the Council offers no objection to an application by Coutts Commercial Tavern to extend their liquor licence area on the day of the Burdekin Water Festival to include the footpath and side park immediately in front of their premises provided an adequate enclosure is erected.

CARRIED

12 DELEGATIONS

Prior to commencing the agenda for the meeting, the following delegations attended the meeting to discuss issues with Council:

- 9.20 am - Brian Eade, Jo Neylan, Naomi Franklin and others – to table a petition in relation to the CEO and to discuss policy and regulation of animal matters.
- 9.30 am - John Quirke and Eddie Smallwood, Gudjuda Reference Group - to discuss matters concerning the Gudjuda Reference Group's Material Change of Use application for a Social Enterprise at the old Home Hill Showgrounds, particularly the motor home stopover aspect.
- 10.05 am - Guilio Rossatto – to discuss Council's plans to upgrade the Darveniza Road and Groper Creek Road reconstruction project.

10.15 am – Citizenship Ceremony:

Mr Silas Amor ABAN (Philippines)
Mr Sean Timothy Martinez ABAN (Philippines)
Mr Silvan Troy Martinez ABAN (Philippines)
Mr Siron Tommy Martinez ABAN (Philippines)

Mrs Indhira GONZALEZ-ESPINOSA (Dominican Republic)

Ms Amee HOEKMAN (Netherlands)
Mr Jordy Willem Johannes OOSTROM (Netherlands)

Mr Hiteshkumar Vitthalbhai PATEL (India)

There being no further business the meeting closed at 12.50pm.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 23 July 2013.

MAYOR

