



BURDEKIN SHIRE COUNCIL



MINUTES

ORDINARY COUNCIL MEETING

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

on 11 November 2014

COMMENCING AT 9:00AM



TUESDAY 11 NOVEMBER 2014

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ATTENDANCE

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

Mr. M. Magin - Chief Executive Officer
Mr. D. Mulcahy – Manager Governance and Local Laws
Mr. T. Vaccaro – Manager Community Development
Mr. A. Scott – Manager Economic Development
Mrs. K. Olsen - Manager Financial and Administrative Services
Mr. W. Saldumbide - Manager Operations
Mr. K. Byers - Manager Technical Services

Minutes Clerk – Mrs. J. Thomasson

Leave of Absence - Councillor P.M. Dalle Cort and Councillor E.J. Bawden

1 PRAYER

The meeting prayer was delivered by Pastor Peter Holmes of the Burdekin Community Church.

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 - 14 October 2014

Recommendation

That the minutes of the Ordinary Council Meeting held on 14 October 2014 be received as a true and correct record.

Resolution

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

CARRIED

3.2 Burdekin Building Safer Communities Action Team Meeting Minutes - 13 August 2014

Recommendation

That the minutes of the Burdekin Building Safer Communities Action Team Meeting held on 13th August, 2014 be received and adopted.

Resolution

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

CARRIED

3.3 Burdekin Cultural Complex Board Minutes - 20 August 2014

Recommendation

That the minutes of the Burdekin Cultural Complex Board Meeting held on 20 August 2014 be received as a true and correct record.

Resolution

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

CARRIED

3.4 Burdekin Shire Youth Council Meeting Minutes - 1 September 2014

Recommendation

That the minutes of the Burdekin Shire Youth Council Meeting held on 1st September, 2014 be received and adopted.

Resolution

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

CARRIED

3.5 Audit Committee Meeting Minutes - 10 October 2014

Recommendation

That the minutes of the Audit Committee Meeting held on 10 October 2014 be received as a true and correct record.

Resolution

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

CARRIED

4 REPORTS

4.1 Capital Projects Monthly Report for Period Ending 30 September 2014

Recommendation

That the Capital Projects Monthly Report for Period Ending 30 September 2014 be received.

Resolution

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

CARRIED

4.2 Operating Statement for Period Ending 30 September 2014

Recommendation

That the Operating Statement for the Period Ending 30 September be received.

Resolution

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

CARRIED

5 GOVERNANCE & LOCAL LAWS

5.1 Renewal of Existing Lease - Ayr Aerodrome - ID and PC Haigh

Executive Summary

The lease between Council and ID & PC Haigh over a small portion of land measuring 4.997 hectares located at the Ayr Aerodrome expires on 31 December 2014. The land has been leased to Mr and Mrs. Haigh since 1994 for the purpose of growing sugar cane. The current lease is for a term of 10 years. Mr. and Mrs. Haigh have applied to Council for renewal of the lease under the existing terms and conditions.

In dealing with this matter, Council must comply with the procedures for disposal of a valuable non-current asset as set out in the Local Government Regulation 2012.

Recommendation

That Council:

- a) Applies the exception under Section 236(1)(c)(iii) of the Local Government Regulation 2012 to allow the disposal of part of Lot 106 on RP898777 to ID & PC Haigh for the purpose of growing sugar cane.
- b) Agrees in principal to enter into a freehold lease with ID & PC Haigh over part of Lot 106 on RP898777 comprising of approximately 4.997 hectares of land. The term of the lease shall be 10 years with the annual rental being equal to 10% of the gross proceeds of the sugar cane crop harvested from the land over the ten year term of the lease.

Resolution

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

CARRIED

5.2 Amendment of Various Subordinate Local Laws

Executive Summary

Proposal to make various subordinate local laws and delegate to the Chief Executive Officer the power to undertake public interest testing in relation to possible anti-competitive provisions.

Recommendation

Council proposes to make each subordinate local law specified in part 1 of the schedule.

Council resolves, pursuant to section 257 of the *Local Government Act 2009* ("the Act"), to delegate to the chief executive officer of Council its powers under section 38 of the Act and sections 15 and 16 of the *Local Government Regulation 2012* to decide—

- (a) how the public interest test of each subordinate local law particularised in part 2 of the schedule is to be conducted; and
- (b) the matters with which the public interest test reports in relation to each subordinate local law particularised in part 2 of the schedule must deal; and
- (c) the consultation process for the public interest test and how the process is to be used in the public interest test.

SCHEDULE

Part 1

- 1. Operation of Camping Grounds (Amendment) Subordinate Local Law (No. 1) 2014; and
- 2. Operation of Caravan Parks (Amendment) Subordinate Local Law (No. 1) 2014; and
- 3. Operation of Rental Accommodation (Amendment) Subordinate Local Law (No. 1) 2014; and
- 4. Local Government Controlled Areas, Facilities and Roads (Amendment) Subordinate Local Law (No. 1) 2014.

Part 2

- 1. Operation of Camping Grounds (Amendment) Subordinate Local Law (No. 1) 2014; and
- 2. Operation of Caravan Parks (Amendment) Subordinate Local Law (No. 1) 2014; and
- 3. Operation of Rental Accommodation (Amendment) Subordinate Local Law (No. 1) 2014.

Resolution

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

CARRIED

5.3 Rescission of Council Policy - Provision of Access to Rural Properties

Executive Summary

As part of Council's ongoing policy review, policy RB001 "Provision of Access to Rural Properties" has been identified as obsolete.

Recommendation

That Council rescinds the policy RB001 "Provision of Access to Rural Properties"

Resolution

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

CARRIED

5.4 Consideration of Security Measures for Council Meetings

Executive Summary

A risk assessment has been conducted of the current security practices for Council Meetings. Australia's national terror alert has been increased and in line with this, practices are being reviewed to ensure that measures are considered to address possible terrorist threats.

Recommendation

That Council resolves to adopt one of the following three protocols for Council meetings:

Option 1) Continue with the status quo- front doors of John Drysdale Chambers opened to public for all Council Meetings.

Option 2) Lock the front doors of the John Drysdale Chambers during meetings and have all meeting attendees register and sign in through the Council foyer and be escorted in by a customer service officer.

Option 3) Employ the services of a uniformed static guard to be present for all Council Meetings to create a visible security presence.

It is recommended that Council reviews this decision in six months time, or sooner if the Federal Government changes the national terror alert level.

Resolution

Moved Councillor Liessmann, seconded Councillor Lewis that Council adopts the following protocol for Council meetings:

Lock the front doors of the John Drysdale Chambers during meetings and have all meeting attendees register and sign in through the Council foyer and be escorted in by a customer service officer.

CARRIED

6 CLIENT SERVICES

7 FINANCIAL & ADMINISTRATIVE SERVICES

7.1 Trust Monies - Transfer to General Account

Executive Summary

Funds currently held in Trust to be transferred to Council's general bank account as the original purpose no longer exists.

Recommendation

It is recommended that the sum of \$2,409.97 held in Council's Trust be transferred to the general bank account and be utilised for landscaping at the Multi-tenant Centre new extension.

Resolution

Moved Councillor McCathie, seconded Councillor Loizou that:

- 1) The sum of \$2,409.97 held in Council's Trust be transferred to the general bank account and be utilised for landscaping at the Multi-tenant Centre new extension; and
- 2) A plaque with the inscription "HGH Memorial Garden" is erected in recognition of the original donors.

CARRIED

8 OPERATIONS

8.1 Assistance for Phillips Camp Progress Association Inc.

Resolution

Moved Councillor McCathie, seconded Councillor Liessmann that Council assist the Phillips Camp Progress Association Inc. on Saturday 29 November, 2014 by providing a grader and a compact roller and driver to upgrade the private ramp at Phillips Camp Landing.

CARRIED

9 TECHNICAL SERVICES

9.1 Water Supply Augmentation Project 2014/15 - Conlan Street

Executive Summary

Council is in the process of augmenting its water supply network through the construction of a new borefield at Conlan Street which will require a 3 km pipeline to be constructed to the South Ayr Water Treatment Plant. As the pipeline crosses both the rail and road corridors, it will be necessary to underbore the corridors in order to install the new 450mm pipeline. Also, as Council's workforce will be carrying out the construction work, a tender process was undertaken for the supply of Pipes and Fittings.

Tender and Quotation Reports were completed to inform Council on the procurement process for the Underboring and Pipeline Supply contracts. (Copies attached).

Recommendation

For information only.

9.2 Transfer of Easement from Burdekin Shire Rivers Improvement Trust - Moores Property Horseshoe Lagoon

Executive Summary

Burdekin Shire Rivers Improvement Trust wishes to transfer an easement to council

Recommendation

Council resolves to accept an easement for drainage as proposed by the Burdekin Shire Rivers Improvement Trust subject to there being no cost to council.

Resolution

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

CARRIED

Noted that Council is aware that Councillor Lewis is the Community Member for the Burdekin Shire River Improvement Trust.

10 PLANNING & DEVELOPMENT

10.1 Burdekin Delta Cinemas Request to have Parking Contribution Money Refunded

Executive Summary

Representatives from the 'Burdekin Delta Cinemas' have requested that a paid parking contribution totalling \$36, 000.00 be refunded.

Recommendation

That Council agree to refund the amount of \$36,000.00 to the delegated authority on behalf of K. A. Webb provided that:

- The applicant be advised that a 'Request to Change' an existing development approval be lodged;
- Condition No. 1 included as part of the original Decision Notice dated 12 May 2000 be removed after approval to change has been granted; and
- A new Decision Notice be issued reflecting this change.

Resolution

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

CARRIED

11 COMMUNITY DEVELOPMENT

12 ECONOMIC DEVELOPMENT

13 GENERAL BUSINESS

13.1 Ordinary Council Meetings - 16 December 2014 and 20 January 2015

Resolution

Moved Councillor Lewis, seconded Councillor Loizou that:

- 1) The Ordinary Council Meetings scheduled to be held in December 2014 and January 2015 be cancelled;
- 2) Ordinary Council Meetings be held on Tuesday, 16 December 2014 and Tuesday, 20 January, 2015

CARRIED

13.2 Removal of Trees at Lloyd Mann Park

Resolution

Moved Councillor Lowis, seconded Councillor Liessmann that Council approves the removal of identified trees at Lloyd Mann Park.

CARRIED

13.3 Request for support from MBD Energy

Resolution

Moved Councillor Lowis, seconded Councillor Loizou that Council support in principle an application by MBD Energy to the Federal Government under the National Stronger Regions Fund and Council provide an Economic Development Officer to assist with the application.

CARRIED

13.4 Fees and Charges Amendment - Annual Rental of Council Paddocks

Resolution

Moved Councillor Lewis, seconded Councillor McCathie that in relation to the 2014-15 fees for Annual Rental of Council Paddocks, Council agrees to amend the administration fee for paddocks > 10 hectares from \$138/annum to \$70/annum.

CARRIED

13.5 Fees and Charges Amendment - Show Dog Registration

Resolution

Moved Councillor McCathie, seconded Councillor Loizou that Council amend the 2014-15 Fees and Charges to include the following fees for Show Dogs:

Show Dogs

For each dog that is registered with Dogs Queensland, and kept on the one property, the following applies:

First 2 dogs – Standard registration fees applicable at the time of registration

Additional dogs registered with Dogs Queensland - \$15 per dog

Please note that no further discounts apply to the Additional dog fees in this section

CARRIED

13.6 Free Mulch for Burdekin Residents

Resolution

Moved Councillor Loizou, seconded Councillor Liessmann that Council approves free mulch days at the Ayr and Home Hill Transfer Stations.

CARRIED

14 CORRESPONDENCE FOR INFORMATION

15 NOTICES OF MOTION

15.1 2013-2014 Annual Report

Recommendation

That Council receives and adopts the 2013-2014 Annual Report.

Resolution

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

CARRIED

15.2 Home Hill Centenary Merchandise

Recommendation

That Council grants approval for the remaining promotional merchandise items from the Home Hill Centenary to be sold at half price (rounded up to the nearest dollar.)

Resolution

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

CARRIED

15.3 Community Development Offices - Burdekin Library (Ayr Branch)

Recommendation

That Council approves the commencement of works to construct the proposed Community Development offices at the Burdekin Library (Ayr Branch) at a total estimated cost of \$18,298.76 including GST.

Resolution

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

CARRIED

16 URGENT BUSINESS

17 CLOSED MEETING ITEMS

18 DELEGATIONS

- | | |
|---------|---|
| 11.30am | Address by Patricia O'Callaghan, Interim CEO, Townsville Enterprise Limited – organisational update and priorities. |
| 12.10pm | Address by Mr. Bruno van der Heide and Mr. Jim Collins from the Lower Burdekin Home for the Aged. |

There being no further business the meeting closed at 1.30pm.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 22 November 2014.

MAYOR

