



BURDEKIN SHIRE COUNCIL



MINUTES

ORDINARY COUNCIL MEETING

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

on 24 March 2015

COMMENCING AT 9:00AM



TUESDAY 24 MARCH 2015

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ATTENDANCE

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

Mr. M. Magin - Chief Executive Officer
Mr. D. Mulcahy – Manager Governance and Local Laws
Mr. S. Great - Manager Planning and 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 – Miss S. Cronin

Apologies: Councillor Lowis – Leave of absence

1 PRAYER

The meeting prayer was delivered by Father Dway Goon Chew of the Anglican 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 - 10 March 2015

Recommendation

That the minutes of the Ordinary Council Meeting held on 10 March 2015 be received as a true and correct record.

Resolution

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

CARRIED

3.2 Burdekin Road Safety Advisory Committee Minutes - 25 February 2015

Recommendation

That the minutes of the Burdekin Road Safety Advisory Committee Meeting held on 25 February 2015 be received as a true and correct record.

Resolution

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

CARRIED

4 REPORTS

4.1 Capital Projects Monthly Report for Period Ending 28 February 2015

Recommendation

That the Capital Projects Monthly Report for Period Ending 28 February 2015 be received.

Resolution

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

CARRIED

4.2 Operating Statement for Period Ending 28 February 2015

Recommendation

That the Operating Statement for Period Ending 28 February 2015 be received.

Resolution

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

CARRIED

5 GOVERNANCE & LOCAL LAWS

5.1 Amendment of Various Subordinate Local Laws

Executive Summary

Council has completed its consultation process with regard to its proposal to amend the Subordinate Local Laws in relation to:

- Operation of Camping Grounds
- Operation of Caravan Parks
- Operation of Rental Accommodation
- Local Government Controlled Areas, Facilities and Roads

Recommendation

A public interest test report about each of Operation of Camping Grounds (Amendment) Subordinate Local Law (No. 1) 2015 (formerly Operation of Camping Grounds (Amendment) Subordinate Local Law (No. 1) 2014), Operation of Caravan Parks (Amendment) Subordinate Local Law (No. 1) 2015 (formerly Operation of Caravan Parks (Amendment) Subordinate Local Law (No. 1) 2014), and Operation of Rental Accommodation (Amendment) Subordinate Local Law (No. 1) 2015 (formerly Operation of Rental Accommodation (Amendment) Subordinate Local Law (No. 1) 2014) having been presented to a meeting of Council, Council resolves to:-

- (a) implement each recommendation of the public interest test report; and
- (b) proceed with the making of, and make, each of:-
 - (i) Operation of Camping Grounds (Amendment) Subordinate Local Law (No. 1) 2015 (formerly Operation of Camping Grounds (Amendment) Subordinate Local Law (No. 1) 2014); and
 - (ii) Operation of Caravan Parks (Amendment) Subordinate Local Law (No. 1) 2015 (formerly Operation of Caravan Parks (Amendment) Subordinate Local Law (No. 1) 2014); and
 - (iii) Operation of Rental Accommodation (Amendment) Subordinate Local Law (No. 1) 2015 (formerly Operation of Rental Accommodation (Amendment) Subordinate Local Law (No. 1) 2014); and
 - (iv) Local Government Controlled Areas, Facilities and Roads (Amendment) Subordinate Local Law (No. 1) 2015, (formerly Local Government Controlled Areas, Facilities and Roads (Amendment) Subordinate Local Law (No. 1) 2014),as advertised, except for the omission of each reference to “2014” and the insertion instead of a reference to “2015”; and
- (c) pursuant to section 32 of the Local Government Act 2009, adopt a consolidated version, as attached to this report to Council, of each of:-

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- (i) Subordinate Local Law No. 1.6 (Operation of Camping Grounds) 2012; and
 - (ii) Subordinate Local Law No. 1.8 (Operation of Caravan Parks) 2012; and
 - (iii) Subordinate Local Law No. 1.11 (Operation of Rental Accommodation) 2012; and
 - (iv) Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2012.

Resolution

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

CARRIED

5.2 Changes to Regional Arts Development Fund

Executive Summary

Arts Queensland has recently undergone significant renewal and reform of the Regional Arts Development Fund to better meet the future priorities, needs and expectations of communities across the state.

Recommendation

That Council:

1. continue to operate the RADF committee through a committee structure comprising two Councillors, one staff member, one community representative and the RADF Liaison Officer
2. prepare new guidelines, application form and acquittal form to be endorsed by Council
3. undertake community consultation on changes to the RADF program

Resolution

Moved Councillor Liessmann, seconded Councillor Dalle Cort that Council:

1. continue to operate the RADF committee through a committee advisory group comprising two Councillors, one staff member, one community representative and the RADF Liaison Officer
2. prepare new guidelines, application form and acquittal form to be endorsed by Council
3. undertake community consultation on changes to the RADF program

Moved Councillor McCathie, seconded Councillor Dalle Cort that this matter lay on the table to enable further liaison to be held with the RADF Committee.

CARRIED

5.3 Adoption of Fees and Charges for Theatre and Memorial Hall

Executive Summary

Following the resolution by the Burdekin Cultural Complex Board on 16 February 2015 to dissolve effective 31 March 2015, Council will take over operation of the Burdekin Theatre and Memorial Hall on 1 April 2015. Council is required to include the fees and charges for these facilities in its fees and charges schedule.

Recommendation

That Council adopts the attached fees and charges for the Burdekin Theatre and Memorial Hall and that these are added to Council's published fees and charges.

Resolution

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

CARRIED

5.4 Final QAO Audit Report 2013-2014

Executive Summary

A final audit report for the 2013-2014 financial year has been prepared by the Queensland Audit Office.

Recommendation

That Council receives the attached final audit report.

Resolution

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

CARRIED

5.5 Burdekin Shire Council Media Policy

Executive Summary

A Media Policy has been developed to provide Elected Member and Council employees with direction regarding all contact with media.

Recommendation

That Council adopts the attached Media Policy.

Resolution

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

CARRIED

6 CLIENT SERVICES

7 FINANCIAL & ADMINISTRATIVE SERVICES

8 OPERATIONS

9 TECHNICAL SERVICES

10 PLANNING & DEVELOPMENT

10.1 Material Change of Use for Home Occupation (Massage) at 9 King Street, Ayr (Lot 24 on RP709699, Parish of Antill, County of Gladstone)

Executive Summary

An application has been received from Patrea Bojack of Essential Balance Massage, seeking approval for a Home Occupation (Massage) at 9 King Street, Ayr (Lot 24 on RP709699, 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 (Massage) at 9 King Street, Ayr (Lot 24 on RP709699, 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.

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- 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 m² 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.

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.

ADVICE (Note: These are not conditions)

- *The footpath between the kerb and property boundary is to be kept clear of parked vehicles.*
- *Businesses which provide higher risk personal appearance services must hold a licence under the Public Health (Infection Control for Personal Appearance Services) Act 2003. Prior to the commencement of higher risk personal appearance services*

contact Council's Environment and Health Department for advice on licence application procedures.

- *A higher risk personal appearance service involves any of the following skin penetration procedures, in which the release of the blood or other body fluid is an expected result:*
 - *body piercing, other than closed ear or nose piercing;*
 - *implanting natural or synthetic substances into a person's skin;*
 - *scarring or cutting a person's skin using a sharp instrument to make a permanent mark, pattern or design;*
 - *tattooing (including cosmetic tattooing or semipermanent make-up).*

Resolution

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

CARRIED

11 COMMUNITY DEVELOPMENT

12 ECONOMIC DEVELOPMENT

13 GENERAL BUSINESS

13.1 QBSC/15/001 - Quotation for the Supply and Installation of Skate Park Equipment - Brolga Park, Giru

Resolution

Moved Councillor Liessmann, seconded Councillor McCathie that Council accepts the quotation of Urban Play Pty Ltd (Option 7) for the supply and installation of skate park equipment at Brolga Park, Giru.

CARRIED

14 CORRESPONDENCE FOR INFORMATION

15 NOTICES OF MOTION

15.1 Getting Burdekin Business Busy Recycling Report

Recommendation

That the Council receive the “Getting Burdekin Business Busy Recycling” Report to be forwarded to the National Packaging Covenant Industry Association noting that the project serves to complete the Burdekin Shire Council's Action Plan No 2.1 within the North Queensland Waste Reduction and Recycling Plan 2014-2024 which is to conduct a recycling project aimed at businesses to improve resource recovery and support initiatives that assist them to improve their recycling performance.

Resolution

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

CARRIED

16 URGENT BUSINESS

17 CLOSED MEETING ITEMS

18 DELEGATIONS

There being no further business the meeting closed at 12.25pm.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 14 April 2015.

MAYOR

