



**BURDEKIN SHIRE COUNCIL**



# **MINUTES**

## **ORDINARY COUNCIL MEETING**

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

**on 09 June 2015**

**COMMENCING AT 9:00AM**



**TUESDAY 9 JUNE 2015**

## **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, 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  
Mrs. K. Olsen - Manager Financial and Administrative Services  
Mr. W. Saldumbide - Manager Operations  
Mr. K. Byers - Manager Technical Services

Minutes Clerk – Mrs. Clelia Kirke

Apologies: Nil

### **1 PRAYER**

The meeting prayer was delivered by Pastor Gavin Henderson of the Presbyterian Church.

### **2 DECLARATIONS OF INTEREST**

The Mayor called for declarations of interest.

Councillor Lewis declared a possible material personal interest in respect of item 8.1 as he is a partner in BQC Quarries, a tenderer for the Supply and Delivery of Stone Products.

Councillor McCathie declared a material personal interest in respect of item 5.2 as one of the Tenderers is a client of her business Landmark Harcourts McCathies.

### **3 MINUTES AND BUSINESS ARISING**

#### **3.1 Ordinary Council Meeting Minutes - 26 May 2015**

##### **Recommendation**

That the minutes of the Ordinary Council Meeting held on 26 May 2015 be received as a true and correct record.

##### **Resolution**

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

CARRIED

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## **4 REPORTS**

## **5 GOVERNANCE & LOCAL LAWS**

### **5.1 Adoption of Revenue Policy 2015-2016**

#### **Executive Summary**

The 2015/2016 revenue policy is a policy required under the Local Government Act 2009. The policy addresses how Council intends to make rates and charges, details special charges, separate charges and how interest will be applied to unpaid rates. The Policy also identifies the principles that will be applied in relation to granting rebates and concessions, and recovery of unpaid rates and charges. The policy also outlines the principles Council will apply in relation to applying cost- recovery methods.

#### **Recommendation**

That Council adopts the attached 2015/2016 Revenue Policy.

#### **Resolution**

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

CARRIED

### **5.2 Supervision of Waste Transfer Stations 2015-2019**

Councillor McCathie declared a material personal interest in respect of item 5.2 as one of the Tenderers is a client of her business Landmark Harcourts McCathies, and left the meeting.

#### **Executive Summary**

Tenders for the supervision of waste transfer stations located at Ayr, Home Hill and Giru have been called for and closed on 30 April 2015. An evaluation of the tenders has been conducted and it is recommended that the supervision of the transfer stations be undertaken by council.

#### **Recommendation**

That in regard to Tender TBSC/15/006 - Supervision of Waste Transfer Stations 2015-2019, the Council:

1. Rejects all tenders received in accordance with Clause 14.1 of the conditions of tender;

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2. Resolves to directly undertake the activities of the tender on an initial 12 month basis which will enable time to further assess cost, roster and implementation issues, noting that employment will be offered to existing transfer station employees; and
  3. Resolves to seek Expressions of Interest or Tenders on the supply of complementary services at the Ayr and/or Home Hill Transfer Stations that assists in achieving the Council's waste management hierarchy of waste avoidance, waste re-use and waste recycling.

### **Resolution**

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

CARRIED

Councillor Dalle Cort voted against the motion.

Councillor McCathie returned to the meeting.

## **5.3 Adoption of Operational Plan 2015-2016**

### **Executive Summary**

Council are required to prepare and adopt an annual operational plan for each financial year. An operational plan for the 2015-2016 year has been developed by the Senior Leadership Group. The plan has been developed in line with budget preparations and has strong links to the Corporate Plan 2015-2020 which was adopted in February.

### **Recommendation**

That Council adopts the attached Operational Plan 2015-2016 and that progress reports be provided to Council on a quarterly basis.

### **Resolution**

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

CARRIED

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## 6 CLIENT SERVICES

## 7 FINANCIAL & ADMINISTRATIVE SERVICES

## 8 OPERATIONS

### 8.1 Annual Tenders for Period 1 July 2015 to 30 June 2017

Councillor Lewis declared a possible material personal interest in respect of item 8.1 as he is a partner in BQC Quarries, a tenderer for the Supply and Delivery of Stone Products, and left the meeting.

#### Executive Summary

Annual Tenders as listed below were called in the Burdekin Advocate and Townsville Bulletin on Friday 20<sup>th</sup> and Saturday 21<sup>st</sup> March, 2015 respectively.

#### Recommendation

As per attached schedules, it is recommended that Council accept tenders as follows:

(1) TBSC/15/001 – Supply and Delivery of Bitumen, Bitumen Emulsion, Premix and Asphalt Products – 2015/2016

It is recommended that Council accept the tenders from Fulton Hogan Industries Pty Ltd, Boral Resources Qld Pty Ltd, Stabilised Pavements of Australia and Sunstate Road Services Pty Ltd. For operational purposes, it is recommended council accept four suppliers. Authorised Requisitioning Officers are to choose the most beneficial supplier to council at the time of ordering based on price and availability.

(2) TBSC/15/002 – Supply and Delivery of Stone Products – 2015/2016

It is recommended that Council accept tenders from both BQC Quarries and Gromac Quarries as a cost saving to council could exist depending on delivery locations. Authorised Requisitioning Officers are to choose the supplier most advantageous to council based on a job by job basis.

(3) TBSC/15/003 – Supply and Delivery of Bulk Fuels – 2015/2016

It is recommended that Council accept tenders from both Reliance Petroleum and Trinity Petroleum Services Pty Ltd. Authorised Requisitioning Officers are to obtain pricing before each order and choose the supplier most advantageous to Council on that day.

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(4) TBSC/15/004 – Supply and Delivery of Ready Mixed Concrete – 2015/2017

It is recommended that Council accept the tender from Burdekin Concrete Pty Ltd based on past performance, quality of service and this being the only submission received.

(5) TBSC/15/005 – Supply and Delivery of Bulk Sodium Hypochlorite – 2015/2016

It is recommended that Council accept the tender from Elite Chemicals, as they were the sole submission. This is a new tender and Elite Chemicals are the current supplier of Sodium Hypochlorite to the Burdekin Shire Council.

(6) QBSC/15/002 – Supply and Delivery of Cement Products – 2015/2017

It is recommended that Council accept the tender from Rural Quip based on price.

(7) QBSC/15/003 – Cleaning Services for the Jones Street Depot – 2015/2017

It is recommended that Council accept the tender from DJ Cleaning Service based on past performance, quality of service and price.

(8) QBSC/15/004 – Supply, Storage and Delivery of Herbicides – 2015/2017

It is recommended that Council accept the tender from Landmark Ayr based on product pricing, quality of service and this being the only submission received.

## **Resolution**

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

CARRIED

Councillor Lewis returned to the meeting.

## **9 TECHNICAL SERVICES**

### **10 PLANNING & DEVELOPMENT**

#### **10.1 Reconfiguring a lot (1 into 2 lots) at 30815 Bruce Highway, Brandon (Lot 10 on SP138992, Parish of Jarvisfield, County of Gladstone)**

##### **Executive Summary**

An application has been received from Brazier Motti on behalf of their client Brian Hodder seeking approval for Reconfiguring a Lot (1 into 2 lots) at 30815 Bruce Highway, Brandon (Lot 10 on SP138992, Parish of Jarvisfield, County of Gladstone). A Development



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Application (Code Assessable) has been triggered in accordance with the Burdekin Shire IPA Planning Scheme. Given the 'Rural' zoning, it is considered that the application is contrary to achieving the purpose of the Planning Scheme. Refusal of the application is recommended.

### **Recommendation**

That Council refuses the Development Application for Reconfiguring a Lot (1 into 2 Lots) at 30815 Bruce Highway, Brandon (Lot 10 on SP138992, Parish of Jarvisfield, County of Gladstone). A Development Application (Code Assessable) based on the following grounds:

- The proposed development compromises the achievement of specific Desired Environmental Outcomes (DEO's) contained within the Burdekin Shire Council's IPA Planning Scheme.
- The development proposed has not demonstrated sufficient grounds to justify or override the identified conflicts with the Burdekin Shire Council's IPA Planning Scheme and in particular the Reconfiguring a Lot Code.
- The development proposed is not located in an area planned to benefit from all relevant urban infrastructure and current planning assumptions. The proposal may require out of sequence infrastructure upgrades, which have not been considered for funding trunk infrastructure. Consequently, the proposal conflicts with the provisions of the scheme.
- The proposed development is contrary to the Reconfiguring of a Lot code contained within the Burdekin Shire Council's IPA Planning Scheme.

### **Resolution**

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

Councillor Lewis foreshadowed a motion to approve the Development Application subject to conditions.

Voting on the Motion – LOST

### **Reasons for Council not accepting Officer's recommendation**

1. The proposed reconfiguration does not change any existing land uses.
2. Two existing houses in close proximity to the proposed new lots
3. The State Interest – Agriculture will not be compromised by this reconfiguration.
4. The proposed subdivision will not result in the loss of agricultural land as the land that is being excised is not used for farming purposes.

Moved Councillor Lewis, seconded Councillor Dalle Cort that Council approves the Development Application for Reconfiguring a Lot (1 into 2 Lots) at 30815 Bruce Highway, Brandon (Lot 10 on SP138992, Parish of Jarvisfield, County of Gladstone) subject to the following conditions.

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## **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 \$65.90 calculated on the basis of a charge of \$32.95 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 plan numbered 56153/001A;
  - (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;

## **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.

## **DRAINAGE**

4. 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.

## **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.

## **ACCESS EASEMENT**

6. An easement must be registered over proposed lot 2 and existing lot 11 on SP138992 in favour of proposed lot 1 for access. The easement must meet the following requirements:
  - a) The applicant must provide to Council a certification from a registered land surveyor that the easement is correctly aligned to allow lot 1 access to a gazetted road.

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- b) Easement plans and associated documents must be duly signed by the owner of the burdened land before they are submitted to Council for endorsement.
  - c) The easement documents must be registered at the same time as registering associated Reconfiguring a Lot subdivision plans.

**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 is noted that the existing dwelling house located on proposed Lot 1 will be in the vicinity of existing agricultural uses. The owner of proposed Lots 1 and 2 is to be responsible for the establishment and ongoing maintenance of any buffer required between any residential and agricultural land uses. Any buffer should incorporate measures to minimise the impact of dust, smoke, noise and ash in accordance with the "Planning Guidelines: Separating Agricultural and Residential Land uses – August 1997."*

CARRIED

## **11 COMMUNITY DEVELOPMENT**

## **12 ECONOMIC DEVELOPMENT**

## **13 GENERAL BUSINESS**

### **13.1 Purchase of New Council Bus**

#### **Resolution**

Moved Councillor McCathie, seconded Councillor Dalle Cort that Council replace the existing bus.

CARRIED

### **13.2 Performance Measures - Recycling**

#### **Resolution**

Moved Councillor Dalle Cort, seconded Councillor Lewis that discussions take place on implementing performance measures for the next twelve months on improving Councils reuse and recycling activities.

CARRIED

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## **14 CORRESPONDENCE FOR INFORMATION**

Tabled Separately

## **15 NOTICES OF MOTION**

### **15.1 Council Approves Payment of Transfer Duty - Burdekin Basketball Stadium**

#### **Recommendation**

That in relation to the proposed transfer of land and improvements located at 14-16 Little Drysdale Street, Ayr (Lot 27 RP710676) being the Burdekin Basketball Stadium, the Council approves payment of the applicable transfer duty based on a market valuation of \$200,000.

#### **Resolution**

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

CARRIED

## **16 URGENT BUSINESS**

## **17 CLOSED MEETING ITEMS**

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

#### **Resolution**

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

275(1)(e) contracts proposed to be made by Council;

for the purpose of discussing:

- Procurement and tender functions at Burdekin Shire Council
- Asset Utilisation Programme

CARRIED

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## **Council Meeting opened to Public**

### **Resolution**

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

CARRIED

### **18 DELEGATIONS**

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

**These minutes were confirmed by Council at the Ordinary Council Meeting held on 23 June 2015.**

**MAYOR**

