



BURDEKIN SHIRE COUNCIL



MINUTES

ORDINARY COUNCIL MEETING

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

on 08 March 2016

COMMENCING AT 9:00AM



TUESDAY 8 MARCH 2016

ORDER OF BUSINESS:

ITEM	PRECIS	PAGE
1	PRAYER	1
2	DECLARATIONS OF INTEREST	1
3	MINUTES AND BUSINESS ARISING	1
3.1	Ordinary Council Meeting Minutes - 23 February 2016	1
4	REPORTS	1
5	GOVERNANCE & LOCAL LAWS	2
5.1	Adoption of Updated Delegations Register- Council to CEO	2
6	CLIENT SERVICES	2
7	FINANCIAL & ADMINISTRATIVE SERVICES	2
8	OPERATIONS	2
9	TECHNICAL SERVICES	3
10	PLANNING & DEVELOPMENT	3
10.1	Development Application for Material Change of Use Multi Unit Development at 39 Queen Street, Ayr (Lot 1 on RP708457 Parish of Antill, County of Gladstone)	3
11	COMMUNITY DEVELOPMENT	6
12	ECONOMIC DEVELOPMENT	6
13	GENERAL BUSINESS	6
13.1	Sub-Tenancy Agreement - Burdekin Cruiser's Club Inc - Ayr Showgrounds	6
13.2	Installation of Playground Equipment - Coutt's Park, Ayr	7
13.3	Removal of Temporary Give Way Signs - Ninth Avenue, Home Hill	7
13.4	Pest Management Plan Adoption	7
14	CORRESPONDENCE FOR INFORMATION	7



BURDEKIN SHIRE COUNCIL



15	NOTICES OF MOTION	7
16	URGENT BUSINESS	7
17	CLOSED MEETING ITEMS	8
18	DELEGATIONS	8

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
Mr. T. Vaccaro – Manager Community Development
Mrs. K. Olsen - Manager Financial and Administrative Services
Mr. W. Saldumbide - Manager Operations
Mr. K. Byers - Manager Technical Services

Minutes Clerk – Mrs Anne-Maree Dale

1 PRAYER

The meeting prayer was delivered by Pastor Andrew Ballin of the Baptist Church.

2 DECLARATIONS OF INTEREST

The Mayor called for declarations of interest.

Councillor McCathie declared a material personal interest in respect to item 10.1 as the applicant is a client of her business, Landmark Harcourts McCathies.

3 MINUTES AND BUSINESS ARISING

3.1 Ordinary Council Meeting Minutes - 23 February 2016

Recommendation

That the minutes of the Ordinary Council Meeting held on Tuesday 23 February 2016 be received as a true and correct record.

Resolution

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

CARRIED

4 REPORTS

5 GOVERNANCE & LOCAL LAWS

5.1 Adoption of Updated Delegations Register- Council to CEO

Executive Summary

Council has recently received updates through the delegation service provided by LGAQ. In light of these updates it is considered prudent to update Council's Register of Delegations- Council to CEO.

Recommendation

That pursuant to section 257 (1) (b) of the Local Government Act 2009, Council delegates all of its lawfully delegable powers under each of –

- a) the local laws listed in Schedule 1 of the Register of Delegations- Council to CEO, and
- b) the Acts listed in Schedule 2 of the Register of Delegations- Council to CEO, to the chief executive officer, subject to the conditions stated below.

1. The delegate will not exercise any delegated power in relation to a matter which, to the delegate's knowledge adversely affects, or is likely to adversely affect, the Council's relations with the public at large.

2. The delegate will not exercise any delegated power in relation to a matter which has already been the subject of a resolution or other decision of the Council (including a policy decision relating to the matter).

That the Register of Delegations- Council to CEO be updated on Council's public web site and made available through the Customer Service Centre.

Resolution

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

CARRIED

6 CLIENT SERVICES

7 FINANCIAL & ADMINISTRATIVE SERVICES

8 OPERATIONS

9 TECHNICAL SERVICES

10 PLANNING & DEVELOPMENT

10.1 Development Application for Material Change of Use Multi Unit Development at 39 Queen Street, Ayr (Lot 1 on RP708457 Parish of Antill, County of Gladstone)

Councillor McCathie declared a material personal interest in respect to this item as the applicant is a client of her business Landmark Harcourts McCathies and left the meeting.

Executive Summary

An application has been received from Antonio Felesina, seeking approval for a Multiple Unit Development at 39 Queen Street, Ayr (Lot 1 on RP708457, Parish of Antill County of Gladstone). A Development Application (Code Assessable) for a Material Change of Use has been triggered in accordance with the Burdekin Shire Council's IPA Planning Scheme (*the scheme*).

Recommendation

That Council approves the Development Application for a Material Change of Use for a Multiple Unit Development at 39 Queen Street, Ayr (Lot 1 on RP708457, 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 All rates and charges (including infrastructure charges), in arrears in respect of the land, subject of the application, are paid in full prior to the commencement of the proposed use.
- 1.3 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 approved plans listed below submitted by 'Tony Ferraris Consulting Building Design' except where modified by the conditions of this Development Permit and any approval issued there under.

Project/Job No	Drawing No. and Issue	Date
Unit Development, TFBD-15044	A01, A.2	18.02.16
Unit Development, TFBD-15000 (Elevations)	A03, P3	14.12.15

BUILDING WORK

-
2. A development permit for Building Works is to be obtained before any building works are carried out on the premise. Proposed buildings to be constructed within allowable setbacks must achieve acceptable solutions in accordance with the requirements of Section C; Building Code of Australia – (Siting provisions and fire resistance).

ROADWORKS

- 3.1 Construct a minimum 6m wide industrial crossover (150mm thick, 32 mPa concrete, F72 mesh) at the proposed entry point on Soper Street. The crossover is to be constructed from the invert of the existing kerb and channel to the property boundary and re-profile the footpath each side of the proposed driveway to comply with AS1428 – Design for access and mobility.
- 3.2 A trench grate is to be installed across the driveway at the property boundary to intercept stormwater flows.
- 3.3 Access to the proposed development is by left turn in only. Egress is by way of left turn out only.

ACCESS AND PARKING

- 4.1 Parking shall be provided generally in accordance with the approved plan from Tony Ferraris Consulting Building Design (JobNo TFBD-15044 DWG No A01 Issue A.2).
- 4.2 Parking space and layout must be designed in accordance with the provisions contained in Schedule 2 – Vehicle Parking Rates & Standards of the Planning Scheme.
- 4.3 Access to the premises, car parking and manoeuvring areas must be constructed in an all weather low glare paving, exposed aggregate concrete or similar material to the satisfaction of the Chief Executive Officer.

DRAINAGE

- 5.1 Stormwater drainage from paved/sealed and roofed areas must be discharged under the footpath to kerb and channelling within the adjoining road reserves in accordance with AS3500.2.2003 or as otherwise required or agreed to in writing by the Chief Executive Officer.
- 5.2 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.
- 5.3 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system.

WATER SUPPLY

6. 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.

SEWERAGE SUPPLY

7. The development must be serviced by the Council's reticulated sewerage system. The sewerage connection is to be provided at a location approved by Council. The developer shall bear the costs of design and construction associated with such connections including any alterations or upgrades to Council's existing infrastructure.

EXTERNAL WORKS

8. 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.

OPERATIONAL WORKS

9. Where operational works are required to be carried out for the development, the developer must, within a period of two years from the date of this permit 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 a current Registered Professional Engineer of Queensland; and
 - (b) a 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.

AMENITY – SCREEN FENCING

10. A 1.8m high screen fence must be provided along the adjoining property boundaries. The fence must be designed to achieve an adequate level of privacy for inhabitants and neighbours.

LANDSCAPING AND SCREENING

11. A landscaping plan shall be submitted and approved by the Chief Executive Officer. This plan must be prepared by a landscape architect or other suitably qualified and experienced person detailing the following;
 - the location of existing and proposed plantings;
 - landscaping of the designated areas generally in accordance with the approved plans;
 - proposed fencing and screens, including rubbish bin enclosures;
 - location of public infrastructure.

DOMESTIC WASTE

12.1 Waste bins shall be provided and stored in locations as shown on Drawing No A02-03. The number of bins shall be in accordance with Burdekin Shire Council's Waste Management Policy.

12.2 Waste bins shall be washed or cleaned only on the car wash bay which shall be constructed under separate approval and fitted with traps, diversion valves and other approved devices to prevent stormwater ingress into the sewerage system and to prevent the risk of release of contaminants to stormwater.

ADVICE (Note: These are not conditions)

N/A

Resolution

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

CARRIED

Councillor McCathie returned to the meeting.

11 COMMUNITY DEVELOPMENT

12 ECONOMIC DEVELOPMENT

13 GENERAL BUSINESS

13.1 Sub-Tenancy Agreement - Burdekin Cruiser's Club Inc - Ayr Showgrounds

Resolution

Moved Councillor Dalle Cort, seconded Councillor McCathie that Council enters into a Sub-tenancy agreement with the Burdekin Cruiser's Club Inc for the use of the entire Ayr Showgrounds facilities for the last weekend in April, for a 10 year period, based on the current price of \$600 plus an increase of CPI each year.

CARRIED

13.2 Installation of Playground Equipment - Coutt's Park, Ayr

Resolution

Moved Councillor Dalle Cort, seconded Councillor Loizou that Council endorses Option 4 as the preferred option for the Supply and Installation of Playground Equipment in Coutts Park, Ayr and accepts the quotation of Urban Play Pty. Ltd. for the sum of \$72,781.50 including GST.

CARRIED

13.3 Removal of Temporary Give Way Signs - Ninth Avenue, Home Hill

Resolution

Moved Councillor Loizou, seconded Councillor Liessmann that Council removes temporary give way signs along Ninth Avenue, Home Hill intersecting at Second, Fourth, Sixth and Eighth Streets, erected for the purpose of traffic diversion during drainage works on Eighth Avenue.

CARRIED

13.4 Pest Management Plan Adoption

Resolution

Moved Councillor Liessmann, seconded Councillor Bawden that Council adopts the Pest Management Plan for the Burdekin Shire Council 2016-2019 in accordance with the Land Protection (Pest and Stock Route Management) Act 2002 – Section 30.

CARRIED

14 CORRESPONDENCE FOR INFORMATION

15 NOTICES OF MOTION

16 URGENT BUSINESS

17 CLOSED MEETING ITEMS

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

Resolution

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

- 275(1)(g) any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act;
- 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:

- 1) Feral deer
- 2) Planning issues

CARRIED

Council Meeting opened to Public

Resolution

Moved Councillor Lewis, seconded Councillor Bawden 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 12 April 2016.

MAYOR

