



BURDEKIN SHIRE COUNCIL



MINUTES

ORDINARY COUNCIL MEETING

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

on 17 May 2016

COMMENCING AT 9:00AM



TUESDAY 17 MAY 2016

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ATTENDANCE

Councillors L.A. McLaughlin (Mayor), J.F. Woods (Deputy Mayor), E.J. Bawden, J.T. Bonanno, U.E. Liessmann and S.P. Perry.

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
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. Anne-Maree Dale

Leave of Absence – Councillor A.J. Goddard

1 PRAYER

The meeting prayer was delivered by Pastor Gavin Henderson of the Home Hill and Ayr Presbyterian 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 May 2016

Recommendation

That the minutes of the Ordinary Council Meeting held on 10 May 2016 be received as a true and correct record.

Resolution

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

CARRIED

4 REPORTS

5 GOVERNANCE & LOCAL LAWS

6 CLIENT SERVICES

7 FINANCIAL & ADMINISTRATIVE SERVICES

7.1 Adoption of 2016-2017 Revenue Policy

Executive Summary

Under the Local Government Act, Council is required to prepare, and by resolution, adopt a revenue policy for each financial year.

The policy identifies the principles Council intends to apply in relation to levying rates and charges, granting concessions for rates and charges, recovering overdue rates and charges and cost-recovery methods.

A draft revenue policy for 2016/17 is attached for consideration and adoption.

Recommendation

That Council adopts the attached 2016/2017 Revenue Policy.

Resolution

Moved Councillor Perry, seconded Councillor Woods that the recommendation be adopted.

CARRIED

8 OPERATIONS

9 TECHNICAL SERVICES

9.1 Parking Bays - Ninth Avenue and Twelfth Street, Home Hill

Prior to discussions on this matter, Councillor Bonanno declared a perceived conflict of interest as he resides at Twelfth Street, Home Hill, however Councillor Bonanno was of the opinion he was able to vote in the best interest of the public and remained in the meeting.

Resolution

Moved Councillor Woods, seconded Councillor Liessmann that Council adopts the parking layout plan along Twelfth Street, Home Hill between Eighth and Ninth Avenues noting amendments made to disabled parking.

CARRIED

10 PLANNING & DEVELOPMENT

10.1 Local Government Infrastructure Plan Preparation and Application for an Extension to the Time frame

Executive Summary

Council is currently required to prepare a Local Government Infrastructure Plan (LGIP) and include it in the Planning scheme before the 1st July, 2016. The Sustainable Planning Act 2009 (SPA) was amended in November 2015 to allow the Planning Minister to approve a Local Governments application for an extension to the LGIP timeline from 1st July, 2016 to 1st July, 2018.

Recommendation

That Council resolves as follows:

1. To prepare a Local Government Infrastructure Plan in accordance with the requirements of the Sustainable Planning Act 2009.
2. In accordance with section 997 of the Sustainable Planning Act 2009, Council applies to the Minister for Infrastructure, Local Government and Planning for an extension to the timeframe to prepare the LGIP and provides a project plan demonstrating that Council can finalise the LGIP within that timeframe.

Resolution

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

CARRIED

10.2 North Queensland Natural Resource Holdings Pty Ltd - Material Change of Use for Extractive Industry at Mt Inkerman Road and 235 Wallace Road, Inkerman (Lot 109 on SB337 and Lot 2 on RP731929 Parish of Inkerman, County of Salisbury)

Executive Summary

An application has been received from BNC Planning on behalf of their clients North Queensland Natural Resource Holdings Pty Ltd, seeking approval for a Material Change of Use for an Extractive Industry at Mt Inkerman Road and 235 Wallace Road, Mt Inkerman (Lot 109 on SB337 and Lot 2 on RP731929, 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. (*the scheme*)

Recommendation

That Council approves the Development Application for a Material Change of Use for an Extractive Industry at Mt Inkerman Road and 235 Wallace Road, Mt Inkerman (Lot 109 on SB337 and Lot 2 on RP731929, Parish of Inkerman, County of Salisbury) subject to the following conditions:

Approved Plans

- 1.(a) The proposed development must be completed and maintained generally in accordance with the supporting material including all environmental plans and the drawing/documents identified in the Table below, except as otherwise specified by any condition of this approval.

DOCUMENT	REFERENCE	DATE
Extractive Industry Solutions, Revision A (amended) Inkerman Quarry – Site Plan	NQN/Ink/App15001	4/02/2015
Extractive Industry Solutions, Inkerman Quarry – Sediment & Erosion Control Plan	NQN/Ink/App15004	28/01/2015

- (b) Where a discrepancy or conflict exists between the written condition(s) of the approval and the approved plans, the requirements of the written condition(s) will prevail.
- (c) The proposed development must comply with all Planning Scheme requirements as applying at the date of this approval, except as otherwise specified by any condition.

Outstanding charges

2. All rates and charges (including regulated 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.

Notice of Intention to commence the use

3. Prior to the commencement of the use on the site, written notice must be given to Council that the use (development and/or works) fully complies with the decision notice issued in respect of the use.

Transportation of Extracted Material

4. There must be no release of soil, sand, mud or other contaminants to roads as a result of the transportation of materials from the site to which this approval relates. All material transported from the site must be covered to prevent dust and spillage during transport.

Damage

5. Any damage which is caused to Council's infrastructure as a result of the proposed development must be repaired immediately.

Road works/Access

- 6.1 The approved local government road haul route is Wallace Road to the Bruce Highway unless otherwise approved in writing by the Council at its absolute discretion and subject to the below minimum standard requirements.
- 6.2 The applicant will construct a new intersection where the proposed private haul road meets Wallace Road.
- 6.3 The haul road in the private property is to be constructed to a safe standard to enable the simultaneous access/egress of quarry haulage vehicles and private motor vehicles used by staff working at the quarry.
- 6.4 The intersection of the haul road and Wallace road is to be designed to cater for haulage vehicles using a swept path template for a prime mover and semi-trailer. It shall comply with Figure 13.95 in Chapter 13 of the DTMR Design manual. A 4 metre wide grid is to be installed as shown in that figure.
- 6.5 The intersection shall be sealed with 50mm thick DG14 asphalt.
- 6.6 An operational works application is to be lodged for the roadworks.
- 6.7 The applicant must pay Council (on an annual basis) the amount of 31 cents/tonne for routine maintenance costs for the duration of extraction operations using Wallace Road. Once evidence of extraction rates is received by Council via the annual report, the amount payable will be calculated and the developer provided with a tax invoice for payment. Payment must be made within 14 days of the tax invoice being issued, or such alternative date as stipulated on the tax invoice.

Stormwater

- 7.1 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.
- 7.2 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system.

Operational Works

8. Where operational works are required to be carried out 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) 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.

Hours of Operation

9. The use may operate only between the hours of 6.00a.m. to 6.00p.m. Monday to Friday and 6.00a.m. to 2.00 p.m. Saturday. There must be no operation on Sundays or public holidays.

Annual Report

- 10.1 An accurate annual report must be provided to Council detailing the exact amount of materials which were extracted from the site for the previous year (the Annual Report).
- 10.2 An annual survey must be completed to ensure that the volumes of material and extent of extraction, is not exceeded. The survey must be undertaken by a person having suitable qualifications to undertake survey works and to an accuracy to determine maximum volumes are not exceeded.
- 10.3 Records must be made and maintained of all loads of material removed from the site. Records must include volumes of material and dates of removal. Records must be kept for a period of at least five years and be available to an officer from Burdekin Shire Council, or authorised officer upon request.

Limitation on Use

11. The operation must be confined within the boundaries of the authorised operating area delineated on Inkerman Quarry (amended) – Site Plan and in general accordance with the specifications shown on supporting material lodged and in particular the Site Management Plans. There must be no additional disturbance including extraction, construction of roads or access tracks or tree clearing outside the approved extraction area except as allowed for in the conditions of this approval.

Environment and Health

- 12.1 Storage of chemicals and fuels in bulk or containers of greater than 15 litres must be within a secondary containment system and releases from the containment system controlled in a manner that prevents environmental harm.
- 12.2 Acid sulphate soils, acid producing rock and marine sediments must not be processed on site.
- 12.3 Any stormwater runoff from the facility generated by a 24 hour storm event with an average recurrence interval of one in five years must be retained on site and treated to remove contaminants before release.
- 12.4 Upon receipt of a complaint regarding the emission of dust, odour, air or noise, the operator must within a reasonable period of time:
 - a. Take any actions necessary to resolve the complaint, and
 - b. Implement abatement measures to minimise the emission from the site.

Advice (These are not conditions)

- General waste and recycle services must comply with Councils Waste Management Policy.
- It is the developer's responsibility to ensure compliance with the Environmental Nuisance of the Environmental Protection Act 1994 which prohibits unlawful environmental nuisance caused by dust, ash, fumes, light, odour or smoke beyond the boundaries of the property during all stages of the development including earthworks and construction.
- Please note this Development Permit only allows for one access off Wallace Road Inkerman, any variance or change to the access provision will require additional approval from Council.

Resolution

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

CARRIED

11 COMMUNITY DEVELOPMENT

11.1 Community Grants Request - Flavours of the World presented by Burdekin Water Festival Committee

Councillors considered the following motion laid on the table at the previous Ordinary Council Meeting held on Tuesday 10 May 2016.

Resolution

Moved Councillor Perry, seconded Councillor Woods that Council approves the request for funding of \$5000.00 (exc. GST) and \$3000.00 in kind support for Flavours of the World presented by the Burdekin Water Festival Committee.

CARRIED

11.2 Burdekin Shire Council Ambassador - Burdekin Water Festival 2016

Resolution

Moved Councillor Perry, seconded Councillor Woods that Council supports the nomination of Chelsea Sarkis as Burdekin Shire Council's entrant in the 2016 Burdekin Water Festival.

CARRIED

11.3 Community Grants Request - Ayr Pastoral Agricultural and Industrial Association Inc

Resolution

Moved Councillor Liessmann, seconded Councillor Bawden that Council approves to waive the hire fees for the Ayr Show Grounds from the 20 June – 10 July 2016 including electricity charges, along with access to relevant electrical and plumbing support as required, to stage the Annual Burdekin Show in recognition of the Ayr Pastoral Agricultural and Industrial Association Inc for providing this family event for the Burdekin community.

CARRIED

12 ECONOMIC DEVELOPMENT

13 NOTICES OF MOTION

14 CORRESPONDENCE FOR INFORMATION

14.1 Cycle Network Local Government Grants Project

Resolution

Moved Councillor Woods, seconded Councillor Liessmann that Council investigate preparing a submission for the Cycle Network Local Government Grants Project to encourage more cycling across the Burdekin Community.

CARRIED

14.2 Community Pass Program - Museum of Tropical Queensland

Resolution

Moved Councillor Woods, seconded Councillor Perry that Council write to the Museum of Tropical Queensland and request that the former arrangements associated with the Community Pass Program be reinstated.

CARRIED

15 GENERAL BUSINESS

15.1 Traffic Management Design - Department of Transport and Main Roads

Resolution

Moved Councillor Liessmann, seconded Councillor Bawden that Council correspond with the Minister of Transport and Main Roads in relation to additional costs to Burdekin Shire Council in providing open and restricted certification to adhere to Main Roads Traffic Management Design legislation.

CARRIED

16 CLOSED MEETING ITEMS

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

Resolution

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

275(1)(c) the Council's budget;

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;

For the purpose of discussing;

- 1) Council budget
- 2) Planning and Development discussions

CARRIED

Presentations were given by;

- 1) Queensland Treasury Corporation
- 2) Fotowatio Renewable Ventures

Council Meeting opened to Public

Resolution

Moved Councillor Perry, seconded Councillor Woods that the Council meeting be opened to the public.

CARRIED

17 DELEGATIONS

There being no further business the meeting closed at 5.50pm.

These minutes were confirmed by Council at the Ordinary Council Meeting held on Tuesday 24 May 2016.

MAYOR

