



BURDEKIN SHIRE COUNCIL



MINUTES

ORDINARY COUNCIL MEETING

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

on 2 August 2016

COMMENCING AT 9:00AM



TUESDAY 2 AUGUST 2016

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ATTENDANCE

Councillors L.A. McLaughlin (Mayor), J.F. Woods (Deputy Mayor), E.J. Bawden, J.T. Bonanno, A.J. Goddard, 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
Mrs. K. Olsen - Manager Financial and Administrative Services
Mr. W. Saldumbide - Manager Operations
Mr. K. Byers - Manager Technical Services
Mrs. E. Robinson – Manager Client Services

Minutes Clerk – Miss S. Cronin

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.

No declarations of interest were identified.

3 MINUTES AND BUSINESS ARISING

3.1 Ordinary Council Meeting Minutes - 19 July 2016

Recommendation

That the minutes of the Ordinary Council Meeting held on 19 July 2016 be received as a true and correct record.

Resolution

Moved Councillor Goddard, seconded Councillor Liessmann that the recommendation be adopted noting that Councillor Woods left the meeting following item 15.1.

CARRIED

3.2 Burdekin Shire Council Audit Committee Meeting Minutes 20 June 2016

Recommendation

That the minutes of the Burdekin Shire Council Audit Committee Meeting held on 20 June 2016 be received and adopted.

Resolution

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

CARRIED

4 REPORTS

4.1 Operating Statement for Period Ending 30 June 2016

Recommendation

That the Operating Statement for the period ending 30 June 2016 be received.

Resolution

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

CARRIED

4.2 Capital Projects Monthly Report for Period Ending 30 June 2016

Recommendation

That the Capital Projects Monthly Report for the period ending 30 June 2016 be received.

Resolution

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

CARRIED

5 GOVERNANCE & LOCAL LAWS

5.1 Adoption of Operational Plan 2016-2017

Executive Summary

The Local Government Regulation 2012 requires Council to prepare and adopt an annual Operational Plan for each financial year. An Operational Plan for the 2016-2017 year has been developed by the Senior Leadership Group. The plan produced has strong links to the Corporate Plan 2016-2021 adopted on 14 June 2016, and aligns with the budget preparations.

Recommendation

That Council adopts the attached Operational Plan 2016-2017, with progress reports to be provided to Council on a quarterly basis.

Resolution

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

CARRIED

6 CLIENT SERVICES

7 FINANCIAL & ADMINISTRATIVE SERVICES

8 OPERATIONS

8.1 Wet Weather Cane Transfers - Wilmar

Discussions were held on wet weather cane transfers if required during the 2016 cane season.

Mr. Steve Posta, Wilmar and Mr. Wayne Smith, Burdekin Canegrowers were in attendance for this discussion.

9 TECHNICAL SERVICES

10 PLANNING & DEVELOPMENT

10.1 Development Application Material Change of Use for Educational Establishment (2 Stages incorporating a recreational area) at 24-26 Adelaide Street & 2-14 Melbourne Street, Ayr (Lot93 on SP263618 & Lot7 on RP905157 Parish of Antill, County of Gladstone)

Executive Summary

Council has received a Development Application from Brazier Motti on behalf of their client Bickerton Masters Architecture for a Material Change of Use for an Educational Establishment (Stages 1 & 2 incorporating a recreational area) at 24-26 Adelaide Street and 2-14 Melbourne Street, Ayr (Lot 93 on SP263618 & Lot 7 on RP905157 Parish of Antill, County of Gladstone)

Recommendation

That Council approves the Development Application for a Material Change of Use for an Educational Establishment (Stages 1 & 2 incorporating a recreational area) at 24-26 Adelaide Street and 2-14 Melbourne Street, Ayr (Lot 93 on SP263618 & Lot 7 on RP905157 Parish of Antill, County of Gladstone) subject to the following conditions:

Approved Plans

- 1.(a) 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 applications supporting material including all drawings/documents identified in the Table below, except as otherwise specified by any condition of this approval.

Drawing Title	Drawing/Revision	DATE
Stage 1 Site Plan	AR101-P2	May 2016
Stage 2 Site Plan	AR102-P2	May 2016
Floorplan – Stage 1	AR201-P2	May 2016
Floorplan – Stage 2	AR200 - P2	May 2016
External Elevations – Stage 1	AR301 – P2	May 2016
External Elevations – Stage 2	AR300 – P2	May 2016

- (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.

Soil Erosion Sediment Control & Stormwater

- 4.1 A detailed Soil Erosion and Sediment Control Plan for the development must be provided as part of Operational Works application. An appropriately qualified professional must design and certify the plan which must comply with the Environment Protection Act 1994 and all its subordinate legislation.
- 4.2 A Stormwater Management Plan for the development must be provided as part of Operational Works application which demonstrates;
 - The proposed stormwater drainage layout, for the completed development, including both surface and underground drainage structures.
 - The final discharge point for stormwater.
 - Measures to be used to minimise stormwater discharge rate from the developed site.
- 4.3 A Stormwater Quality Management Plan for the development must be provided as part of Operational Works application.
- 4.4 Provide to Council all stormwater calculations and design details for the development. Calculations must show:
 - hydrology calculations, for both Q5 and Q50 events, including runoff from individual catchments;
 - hydraulic calculations, for both Q5 and Q50 events, including
 - backwater analysis
 - hydraulic grade line results
 - kerb and channel flow widths and depths
 - pipe flows and velocities
 - channel flows and velocities
 - overland flow volumes and velocities

These shall be certified by a Registered Professional Engineer of Queensland (RPEQ) and be included in the operational works application.

Stormwater

- 5.1 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.

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

Drainage

- 6.1 The developer shall provide a stormwater management plan for the entire development. The plan shall illustrate the flow paths for the minor and major drainage systems.
- 6.2 The minor drainage shall consist of an underground system capable of conveying 5 yr ARI flows from the development and any external catchments currently flowing onto the land being developed. Stormwater shall not overtop kerb for a 5yr ARI event.
- 6.3 The major drainage system shall consist of overland flow paths or suitably sized underground drainage capable of discharging 50yr ARI flows from the development and any external catchments currently flowing onto the land being developed. Stormwater shall be confined to road reservations and easements for a 50yr ARI event.
- 6.4 The lawful point of discharge for stormwater shall be at a location approved by Council.
- 6.5 All surface drainage shall be suitably lined with concrete to maintain levels and grades.
- 6.6 All drainage works are to be designed to ensure no detrimental effect to the upstream and downstream catchments.
- 6.7 Downstream drainage paths and structures are to be analysed to ensure they are suitably sized for the increased flows from the development when fully developed. Any inadequate elements of the system are to be augmented at the developers full cost to allow for the increased flows.
- 6.8 No work is allowed within Drainage Easement A RP711846 and Easement B RP742396 without prior Council approval.
- 6.9 The discharge point for stormwater drainage shall be the existing drain within Easement A RP711846.

Damage

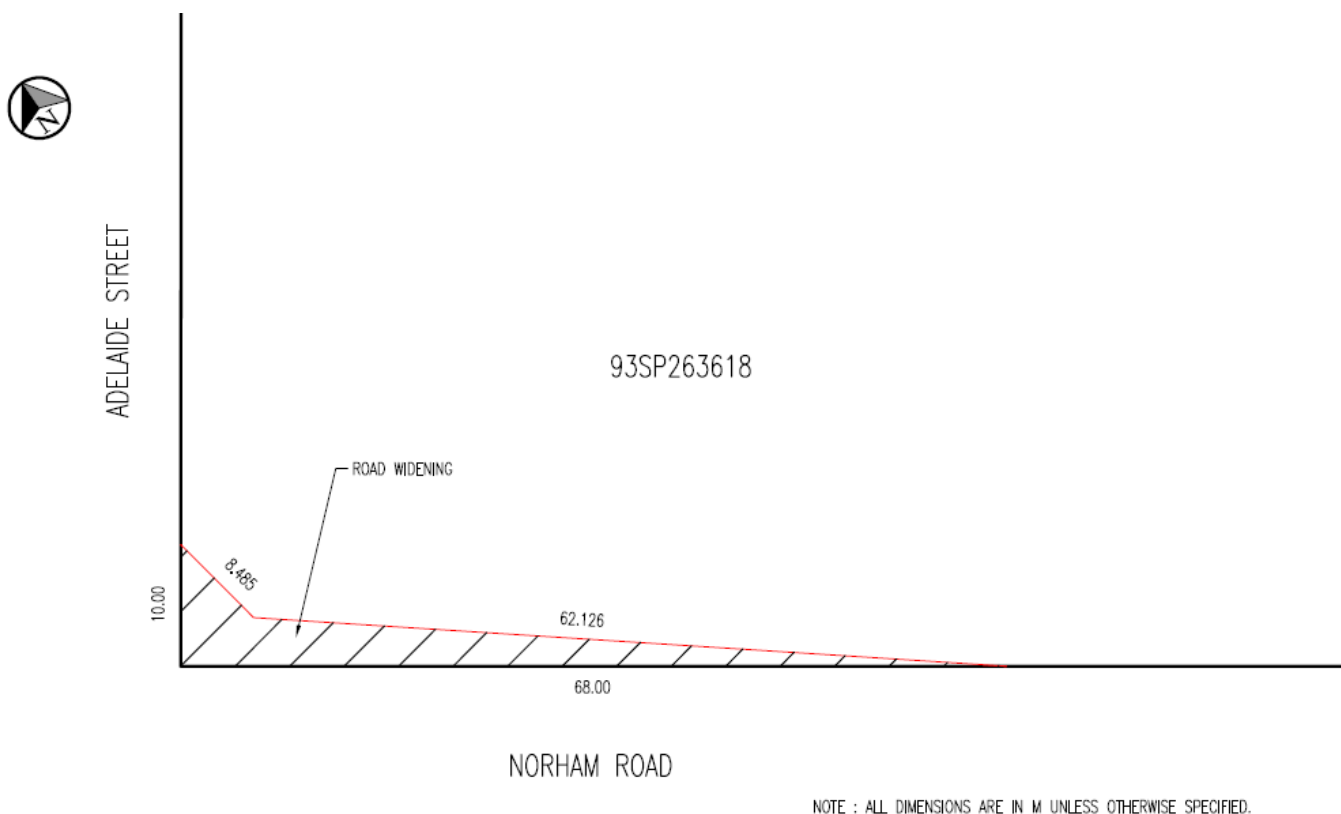
7. Any damage which is caused to Council's infrastructure as a result of the proposed development must be repaired immediately.

Public Utility Services

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.

Roadworks

- 9.1 Construct stand up kerb and channel on the eastern side of Adelaide Street, from the existing footpath crossing point (approximately 135m north of Norham Road) to the proposed crossing to the junior school. The kerb is to be on an alignment of 2.5m from the boundary of the development site to the back of kerb. The existing short length of kerb on the eastern side of Adelaide Street is to be removed.
- 9.2 Construct stand up kerb and channel on the western side of Adelaide Street, from the proposed crossing to the primary school to 5 metres north of the existing junior school access gate. The kerb is to be on an alignment of 3.85m from the boundary of the development site to the back of kerb.
- 9.3. Construct bitumen surfaced road widening in Adelaide Street, from the existing footpath crossing point (approximately 135m north of Norham Road) to the proposed crossing to the junior school. The widening is to extend from the eastern edge of existing bitumen to the proposed kerb and channel. The road widening is to be constructed so as to ensure drainage of stormwater to the proposed kerb and channel.
- 9.4 Construct bitumen surfaced road widening in Adelaide Street, between the proposed crossing and 5 metres north of the existing junior school gate. The widening is to extend from the western edge of existing bitumen to the proposed kerb and channel. The road widening is to be constructed so as to ensure drainage of stormwater to the proposed kerb and channel.
- 9.5 Dedicate land at the intersection of Norham Road and Adelaide Street, as shown herewith, to the public as road.



- 9.6 Construct a 2.5 metres wide concrete footpath on the eastern side of Adelaide Street, from the existing footpath crossing point (approximately 135m north of Norham Road) to the proposed crossing to the primary school.
- 9.7 Construct a 2.5 metres wide concrete footpath on the western side of Adelaide Street from the proposed crossing, to the primary school, to the existing access gate to the junior school.
- 9.8 Construct concrete pedestrian refuge nodes at the proposed crossing to the primary school as shown in the application. The location of the crossing point is to be selected so as not to impact on the existing access(es) to Lot 94 SP263618.

Access and Car parking

- 10.1 Parking space and layout must be designed in accordance with the provisions contained in the supporting material included in the plans submitted with the application.
- 10.2 Access to the premises, car parking and manoeuvring areas must be constructed in an all-weather low glare paving, exposed aggregate concrete or similar dust suppressant material to the satisfaction of the Chief Executive Officer.
- 10.3 The construction of any additional crossovers to give access to the land is to be the owner's responsibility and to the satisfaction of the Chief Executive Officer.

Operational Works

11. 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;

Water Supply Works Internal

- 12.1 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.
- 12.2 Any connection or upgrades to Council's existing water infrastructure required by the development shall be carried out by the Council at the developers full cost.

Sewerage Supply

- 13.1 The development must be connected to Council's reticulated sewerage system. All works required are to be carried out at the developers full cost.
- 13.2 Any connection or upgrades to Council's existing sewerage infrastructure required by the development shall be carried out by the Council at the developers full cost.
- 13.3 The lawful point of discharge into Council's sewerage infrastructure shall be at a location approved by Council.

As-Constructed Plans

14. The developer shall provide Council with a complete set of as-constructed plans and an electronic copy which is to be compatible to Council's system at the relevant time, for all works. Such plans are to be certified by an R.P.E.Q.

Amenity – Screen Fencing

15. A fence must be provided along the Adelaide Street and Norham Road frontages of Lot 93 on SP263618. The type and design must be submitted and approved by the Chief Executive Officer prior to construction of the fence. Fencing design should consider reducing negative flooding impacts upstream due to debris build up.

Landscaping and Screening

16. 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; air conditioners, irrigation pumps and water tanks;
 - location of public infrastructure.

Staff and Student Numbers

17. The following staff and student numbers are permitted on the proposed site for Stage 1 and 2 extension for a senior school on 24-46 Adelaide Street.
- No more than 5 full time staff
 - No more than 125 students are to be enrolled.

Environment and Health

- 18.1 No release of contaminants, including, but not limited to dust, fumes, odour or aerosols or emission of noise is to cause or be likely to cause an environmental nuisance for any activities, including educational activities, beyond the boundaries of the premises to which this development permit relates.
- 18.2 Upon receipt of a complaint regarding the emission of dust, odour or other air or noise emission, 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 emissions from the site.

Advice: (Note: These are not conditions)

- **Earthworks**

If the development of the subject property requires soil to be imported or exported, the developer must identify the allotments which would be used for borrowing or filling and must obtain Council approval for such works in addition to engineering approval for the development. In this regard, the developer must obtain Council approval for the route of transport, the period and time of transport during the construction phase of the development.

- **Environmental Considerations**

E.P.A. Requirements

Construction must comply with the Environmental Protection Act, Policies and Guidelines to prevent or minimise either environmental harm or nuisance.

- A development permit for Building Works is to be obtained before any building works are carried out on the premise.

-
- Waste and recycling services must be provided in accordance with Council's Waste Management Policy.

Resolution

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

Amendment to Motion

Moved Councillor Perry, seconded Councillor Bonanno that the recommendation be adopted with the removal of items 9.1 and 9.6.

FOR: Councillors Perry, Bonanno and McLaughlin

AGAINST: Councillors Goddard, Woods, Bawden and Liessmann

LOST 4/3

Voting on Motion

FOR: Councillors Goddard, Woods, Bawden and Liessmann

AGAINST: Councillors Perry, Bonanno and McLaughlin

CARRIED 4/3

11 COMMUNITY DEVELOPMENT

12 ECONOMIC DEVELOPMENT

13 NOTICES OF MOTION

13.1 Amendment to 2016-17 Fees and Charges - Waste Disposal Fees

Recommendation

That Council agrees to amend the 2016-17 Waste Disposal Fees as follows:

Landfill Only –

Asbestos from \$233 per tonne to \$130 per tonne

Asbestos handling fee from \$210 to \$40

When weighbridge non-operational –

Asbestos from \$104 per cubic metre to \$57 per cubic metre

So that the fees reflect consistency of treatment between asbestos and construction and demolition waste.

Resolution

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

CARRIED

13.2 Amendments to 2016-17 Fees and Charges - Declared Menacing Dogs

Recommendation

That Council amends the 2016-17 Fees and Charges under the Animal Management section for Declared Menacing Dogs as follows:-

Annual Renewal – Compliant [after 3 consecutive years complying with the conditions for keeping a menacing dog.] Conditions must continue to be complied with or will revert back to annual renewal fee for menacing dogs.

<i>Annual Renewal Compliant – Desexed</i>	<i>\$52.50</i>
<i>Annual Renewal Compliant – Entire</i>	<i>\$159.00</i>

Resolution

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

CARRIED

13.3 Trustee Lease - Burdekin Brass Band

Recommendation

That Council approves to enter into a Trustee Lease with the Burdekin Brass Band Inc in accordance with Section 57 of the Land Act 1994 over that part of the Burdekin Brass Band building located on part of Lot 4 H61649, Reserve for Park, R79 excluding that part of the building recognised as the public toilet block, for a term of 10 years and in accordance with the standard conditions for sporting/community organisation leases.

Resolution

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

CARRIED

14 CORRESPONDENCE FOR INFORMATION

15 GENERAL BUSINESS

15.1 Events Industry Future Development - Events Bootcamp Series - 21 July 2016 - Townsville

Recommendation

That Council supports Councillor McLaughlin's approval for Councillor Bonanno's attendance at the Events Industry Future Development – Events Bootcamp Series held on Thursday 21 July 2016 in Townsville.

Resolution

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

CARRIED

15.2 Use of Council Bus - Millaroo State School

Recommendation

That Council supports Councillor McLaughlin's approval for the use of the Council bus to transport children from Millaroo State School to the Burdekin Theatre to attend Little Red in the Hood on Monday 25 July 2016.

Resolution

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

CARRIED

15.3 Withdrawal to Host State Conference - Australian Local Government Women's Association

Recommendation

That Council approves Councillor McLaughlin's action in notifying the Australian Local Government Women's Association that Council is withdrawing its nomination to host the next State Conference.

Resolution

Moved Councillor Bonanno , seconded Councillor Goddard that the recommendation be adopted.

CARRIED

15.4 Roundabout - Intersection of Young and Macmillan Streets, Ayr - Listed for Budget Consideration

Resolution

Moved Councillor Bawden, seconded Councillor Liessmann that Council lists a roundabout at the intersection of Young and Macmillan Streets, Ayr for budget consideration.

CARRIED

15.5 Review of Community Development Department

Resolution

Moved Councillor Woods, seconded Councillor Liessmann that Council approves to engage the services of Lisa Trevellick Arts Consultancy & Project Management to conduct a review of the current operations of the Burdekin cultural venues in consultation with Council's Community Development team and key community stakeholders.

CARRIED

15.6 Call for Expressions of Interest for Use of Bosworth Bar, Ayr Showgrounds

Resolution

Moved Councillor Bawden, seconded Councillor Woods that Council agrees to call for expressions of interest for use of the Bosworth Bar at the Ayr Showgrounds.

CARRIED

16 CLOSED MEETING ITEMS

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

Resolution

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

- 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:

- Community Assets
- Planning and use of Ayr Showgrounds
- Alva – environmental issues
- Legacy landfills – strategic planning
- Energy efficiency planning
- Morratt's Pit
- Outsourcing v In-house provision
- Permits for additional animals
- NDRRA – Emergency Management Australia position on 2012 Event

CARRIED

Council Meeting opened to Public

Resolution

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

CARRIED

16.1 Council Contribution to Concrete Driveway - Home Hill

Resolution

Moved Councillor Woods, seconded Councillor Goddard that approves a contribution of \$1,250 toward the costs incurred by the owner in providing a concrete driveway at property number 1325, Home Hill recognising that the width of the footpath along the property boundary in Tenth Avenue is 5.3 metres wider than a standard four metre footpath. The consideration is for reimbursement of a standard four metre wide access crossover.

FOR: Councillors Perry, Woods and Goddard

AGAINST: Councillors Liessmann, Bonanno, Bawden and McLaughlin

LOST 4/3

16.2 Ayr Showgrounds Master Plan

Resolution

Moved Councillor Woods, seconded Councillor Goddard that Council investigates the cost of a master plan for the Ayr Showgrounds.

CARRIED

16.3 Infrastructure Upgrades at Pound

Resolution

Moved Councillor Bawden, seconded Councillor Perry that Council seeks a report on infrastructure upgrades required at the pound.

CARRIED

16.4 Energy Efficiency Projects

Resolution

Moved Councillor Perry, seconded Councillor Liessmann that Council seeks quotations to progress energy efficiency projects for the Council.

CARRIED

16.5 The Palaszczuk Government's Connecting to Asia Forum - 25 August 2016 - Cairns

Resolution

Moved Councillor Goddard, seconded Councillor Bawden that Council approves the Mayor's attendance at the Palaszczuk Government's Connecting to Asia Forum to be held on 25 August 2016 in Cairns.

CARRIED

17 DELEGATIONS

17.1 Presentation - Burdekin Pet Rescue

Mrs Judith Menso, Ms. Jo Neylan and Mr. Mark Smith gave a presentation on the Burdekin Pet Rescue project.

There being no further business the meeting closed at 5.00pm.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 16 August 2016.

MAYOR

