



BURDEKIN SHIRE COUNCIL



AGENDA

ORDINARY COUNCIL MEETING

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

on 11 October 2016

COMMENCING AT 9:00AM

At this meeting contributions made by members of the public may be recorded by way of audio recording which will be used for the purpose of developing minutes of the meeting and decision making of Council. Burdekin Shire Council is bound by the Information Privacy Act 2009 to protect the privacy of personal information.

Under Local Law 1 Section 35(3) a person must not make an audio or video recording of a local government meeting, a standing committee meeting, a special committee meeting or an advisory committee meeting unless the chairperson at the meeting gives consent in writing to the recording of the meeting.

Further information may be found on council's website at www.burdekin.qld.gov.au



TUESDAY 11 OCTOBER 2016

ORDER OF BUSINESS:

ITEM	PRECIS	PAGE
1	PRAYER	2
2	DECLARATIONS OF INTEREST	2
3	MINUTES AND BUSINESS ARISING	2
3.1	Ordinary Council Meeting Minutes - 4 October 2016	2
3.2	Community Grants Panel Meeting Minutes - 29 September 2016	16
4	REPORTS	19
5	GOVERNANCE & LOCAL LAWS	19
6	CLIENT SERVICES	19
7	FINANCIAL & ADMINISTRATIVE SERVICES	19
8	OPERATIONS	19
8.1	Review of Ayr Sewage Treatment Plant	19
9	TECHNICAL SERVICES	19
10	PLANNING & DEVELOPMENT	19
11	COMMUNITY DEVELOPMENT	19
12	ECONOMIC DEVELOPMENT	19
13	NOTICES OF MOTION	19
14	CORRESPONDENCE FOR INFORMATION	20
15	GENERAL BUSINESS	20
16	CLOSED MEETING ITEMS	20
17	DELEGATIONS	20
17.1	Presentation - Review of Burdekin Shire Council Cultural Facilities and Operations	20

1 PRAYER

2 DECLARATIONS OF INTEREST

3 MINUTES AND BUSINESS ARISING

3.1 Ordinary Council Meeting Minutes - 4 October 2016

Recommendation

That the minutes of the Ordinary Council Meeting held on 4 October 2016 be received as a true and correct record.



BURDEKIN SHIRE COUNCIL



MINUTES

ORDINARY COUNCIL MEETING

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

on 04 October 2016

COMMENCING AT 9:00AM



TUESDAY 4 OCTOBER 2016

ORDER OF BUSINESS:

ITEM	PRECIS	PAGE
1	PRAYER	1
2	DECLARATIONS OF INTEREST	2
3	MINUTES AND BUSINESS ARISING	2
3.1	Ordinary Council Meeting Minutes - 27 September 2016	2
3.2	Audit Committee Meeting Minutes - 7 September 2016	2
4	REPORTS	3
5	GOVERNANCE & LOCAL LAWS	3
6	CLIENT SERVICES	3
7	FINANCIAL & ADMINISTRATIVE SERVICES	3
8	OPERATIONS	3
9	TECHNICAL SERVICES	3
9.1	Proposed Dwelling and Shed within Easement A on RP891966 McIntyre Place - Garzotto	3
3	MINUTES AND BUSINESS ARISING	4
3.1.1	Appointment of Interim Chief Executive Officer	4
3.1.2	Recruitment of A New Chief Executive Officer	4
18	DELEGATIONS	4
18.1	Presentation - Burdekin Shire Council Rural Management Challenge Team	4
10	PLANNING & DEVELOPMENT	4
10.1	Development Application Material Change of Use for Telecommunication Facility at 357 Beach Road, Ayr (Lot 104 on SP273470 Parish of Antill, County of Gladstone)	4
11	COMMUNITY DEVELOPMENT	7
12	ECONOMIC DEVELOPMENT	7
14	CORRESPONDENCE FOR INFORMATION	7

Ordinary Council Meeting 04 October 2016



BURDEKIN SHIRE COUNCIL



14.1	Preparation of Report - Bindal People #2 - New Native Title Claim	7
14.2	Friends of the Theatre - Letter Referred to Burdekin Cultural Advisory Committee	7
13	GENERAL BUSINESS	8
13.1	Wunjunga Boat Ramp Discussions	8
13.2	Department of Education and Training - Letter of Support	8
13.3	Whitsundays Community Cabinet Meeting - Proserpine - 23 October 2016	8
13.4	Burdekin Water Futures Conference - Burdekin - May 2017	9
13.5	Councillor Bonanno Appointed to the Energy Efficiency Projects Working Group	9
13.6	Footpath - Corner Parker and MacMillan Streets, Ayr	9
14	CORRESPONDENCE FOR INFORMATION	9
15	NOTICES OF MOTION	9
16	URGENT BUSINESS	9
17	CLOSED MEETING ITEMS	10
18	DELEGATIONS	10

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
Mrs. K. Olsen - Manager Financial and Administrative Services
Mr. W. Saldumbide - Manager Operations
Mr. K. Byers - Manager Technical Services
Ms. E. Robinson – Manager Client Services

Minutes Clerk – Mrs. A. Dale

Apologies – Councillor A.J. Goddard

1 PRAYER

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

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

Resolution

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

275(1)(a) the appointment, dismissal or discipline of employees;

For the purpose of discussing;

- Chief Executive Officer recruitment

CARRIED

Council Meeting opened to Public

Resolution

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

CARRIED

2 DECLARATIONS OF INTEREST

The Mayor called for declarations of interest.

Councillor Woods declared a perceived conflict of interest in respect of letter eleven in the Correspondence for Information as he is a member of the Executive of the Friends of the Theatre.

3 MINUTES AND BUSINESS ARISING

3.1 Ordinary Council Meeting Minutes - 27 September 2016

Recommendation

That the minutes of the Ordinary Council Meeting held on 27 September 2016 be received as a true and correct record.

Resolution

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

CARRIED

3.2 Audit Committee Meeting Minutes - 7 September 2016

Recommendation

That the minutes of the Audit Committee Meeting held on 7 September 2016 be received and adopted.

Resolution

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

CARRIED

4 REPORTS

5 GOVERNANCE & LOCAL LAWS

6 CLIENT SERVICES

7 FINANCIAL & ADMINISTRATIVE SERVICES

8 OPERATIONS

9 TECHNICAL SERVICES

9.1 Proposed Dwelling and Shed within Easement A on RP891966 McIntyre Place - Garzotto

Executive Summary

Property owner Mary Garzotto, of 10 McIntyre Place, wishes to erect a dwelling and shed which will encroach on to Easement A RP891966.

Recommendation

Council resolves to consent to the erection of a dwelling and shed encroaching on to land subject to an easement for drainage and sewerage, Easement A on RP891966, benefiting Burdekin Shire Council.

Resolution

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

CARRIED

3 MINUTES AND BUSINESS ARISING

3.1.1 Appointment of Interim Chief Executive Officer

Resolution

Moved Councillor Woods, seconded Councillor Perry that Council engages the Local Government Association of Queensland (LGAQ) to provide an interim Chief Executive Officer until such time that a permanent Chief Executive Officer commences.

CARRIED

3.1.2 Recruitment of A New Chief Executive Officer

Resolution

Moved Councillor Bawden, seconded Councillor Liessmann that Council engages the services of Leading Roles to undertake the recruitment of a Chief Executive Officer.

CARRIED

18 DELEGATIONS

18.1 Presentation - Burdekin Shire Council Rural Management Challenge Team

Mrs. Melanie Napier, Mr. John Cerqui, Mrs. Tonia Marano, Mr. Suman Shrestha and Mr. Rob Slatcher of Challenge Expected - The Rural Management Challenge Team, introduced themselves to Council and briefed Council on the Journey So Far and the team's future goals.

It was noted that the North Queensland Rural Management Challenge is to be held at Yungaburra on 6 October 2016.

10 PLANNING & DEVELOPMENT

10.1 Development Application Material Change of Use for Telecommunication Facility at 357 Beach Road, Ayr (Lot 104 on SP273470 Parish of Antill, County of Gladstone)

Executive Summary

Council has received a Development Application from Daly International on behalf of their client Optus Mobiles Pty Ltd seeking a development permit for a Material Change of Use

Telecommunications Facility at 357 Beach Road, Ayr (Lot 104 on SP273470 Parish of Antill, County of Gladstone)

The proposal is for a defined use and triggers an 'Impact Assessable' Development Application in accordance with the provisions of the Burdekin Shire Council's IPA Planning Scheme (the scheme).

Recommendation

That Council approves the Development Application for a development permit for a Material Change of Use for a Telecommunications Facility at 357 Beach Road, Ayr (Lot 104 on SP273470 Parish of Antill, County of Gladstone) subject to the following conditions:

Approved Plans

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

Drawing Title	Drawing/Revision	DATE
Draft Site Layout	B1413-P1, Rev 01	03/05/2016
Draft Site Elevation	B1413-P2, Rev 01	03/05/2016
Draft Property Layout	B1413-P3, Rev 01	03/05/2016
HUAWEI Environmental EME Report		11/05/2016

- (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 scheme requirements as applying at the date of this approval, except as otherwise specified by any condition of this approval.
- (d) The development must be constructed in the position and at the levels identified on the approved plans or as stipulated by a condition of this approval, noting that all boundary setback measurements are taken from the real property boundary and not from such things as road bitumen or fence lines.

Rehabilitation

2. If the use is abandoned or ceases operation, the developer must rehabilitate the site by:
- (a) Removing the monopole and all associated infrastructure, and
- (b) Revegetate the site to a level compatible to surrounding vegetation or postural use.

Outstanding charges

3. 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

4. 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.

Damage

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

Access

6. The construction of any crossovers to give access to the land is to be the owner's responsibility and must be undertaken to the satisfaction of the Chief Executive Officer.

Public Utility Services

7. 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.

Stormwater

8. 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.

Resolution

Moved Councillor Perry, seconded Councillor Woods that the recommendation be adopted with the following two additional conditions;

1. 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;
 - landscaping to screen the compound area and associated equipment shelter,
 - details of plant species proposed to be used in the landscaping plan, including height and spread at maturity,
 - a maintenance and monitoring program to ensure the ongoing health of the landscaping.
2. That the monopole is to be painted to an acceptable colour to facilitate reducing the impact on the visual amenity.

FOR - Councillors Woods, Perry and McLaughlin
AGAINST – Councillors Liessmann, Bonanno and Bawden

CASTING VOTE – Councillor McLaughlin voted AGAINST

LOST

Reasons for Council not accepting Officer's recommendation:

- Location close to residential area
- Concerns regarding electromagnetic energy (EME)
- Future development concerns for surrounding land
- Negative impact on visual amenity
- Diminishing value to property
- Health Concerns – potential for illness or harm

11 COMMUNITY DEVELOPMENT

12 ECONOMIC DEVELOPMENT

14 CORRESPONDENCE FOR INFORMATION

14.1 Preparation of Report - Bindal People #2 - New Native Title Claim

Resolution

Moved Councillor Woods, seconded Councillor Liessmann that a report be prepared, identifying the areas of land that are contained within the claim area that would be subject to the Native Title Claim.

CARRIED

14.2 Friends of the Theatre - Letter Referred to Burdekin Cultural Advisory Committee

Councillor Woods perceived a Conflict of Interest however remained in the meeting.

It was resolved that the letter dated 26 September 2016 from the Friends of the Burdekin Theatre regarding hire of the kitchen be referred to the Burdekin Cultural Advisory Committee for consideration.

13 GENERAL BUSINESS

13.1 Wunjunga Boat Ramp Discussions

Councillor Woods requested Councillor Liessmann table evidence of his claim that Councillor Woods was responsible for stopping the boat ramp being built at Oyster Point, Wunjunga during the term he was Mayor as recorded in the minutes of the Ordinary Council Meeting held on Tuesday 6 September 2016.

Councillor Liessmann provided documentation to Councillor Woods. Councillor Woods advised that the documentation did not support Councillor Liessmann's claim. Councillor Liessmann withdrew his accusation.

13.2 Department of Education and Training - Letter of Support

Resolution

Moved Councillor Perry, seconded Councillor Liessmann that Council write a letter of support to the Department of Education and Training for the Industry Proposal Application, for Aquaculture to be included on the Queensland Subsidies Training List.

CARRIED

Councillor McLaughlin left the meeting at 11.55am due to discussions relating to vending with Plantation Park that could be perceived as a conflict of interest and Councillor Woods assumed the Chair.

Councillor McLaughlin returned to the meeting at 11.59am and reassumed the Chair.

13.3 Whitsundays Community Cabinet Meeting - Proserpine - 23 October 2016

Resolution

Moved Councillor Bawden, seconded Councillor Perry that Council approves the proposed list of ministerial deputation requests and the attendance of Councillor McLaughlin and Officers at the Whitsundays Community Cabinet Meeting in Proserpine on 23 October 2016.

CARRIED

13.4 Burdekin Water Futures Conference - Burdekin - May 2017

Resolution

Moved Councillor Woods, seconded Councillor Bonanno that Council supports the commitment of up to \$10,000 toward the Burdekin Water Futures Forum, proposed to be held in the Burdekin in May 2017.

CARRIED

13.5 Councillor Bonanno Appointed to the Energy Efficiency Projects Working Group

Resolution

Moved Councillor Bawden, seconded Councillor Perry that Councillor Bonanno be appointed as Council's Representative on the Energy Efficiency Projects Working Group.

CARRIED

13.6 Footpath - Corner Parker and MacMillan Streets, Ayr

Resolution

Moved Councillor Bawden, seconded Councillor Liessmann that Council maintains consistency with the visual design of Council footpaths, including the corner of Parker and MacMillan Streets, Ayr.

CARRIED

14 CORRESPONDENCE FOR INFORMATION

15 NOTICES OF MOTION

16 URGENT BUSINESS

17 CLOSED MEETING ITEMS

18 DELEGATIONS

There being no further business the meeting closed at 12.38pm.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 11 October 2016.

MAYOR

3.2 Community Grants Panel Meeting Minutes - 29 September 2016

Recommendation

That the minutes of the Community Grants Panel Meeting held on 29 September 2016 be received and adopted.

Burdekin Shire Council

Minutes – Community Grants Panel Meeting held on 29 September 2016

Held at Burdekin Theatre Foyer
The meeting commenced at 9.00am

CLAUSE 1 ATTENDANCE

Mr Tony Vaccaro - Chairman
Cr John Bonanno
Mrs Janice Horan
Cr Lyn McLaughlin
Mrs Lauren McKaig
Cr Uli Liessmann (via phone)

CLAUSE 2 COMMUNITY GRANTS FOR COUNCIL CONSIDERATION

Applicant	Project	Letter No	Requested Funding	Recommended Funding
Burdekin Water Festival Committee Inc.	Burdekin Water Festival Grant Parade and Mardi Gras. Funding primarily used for press and radio promotions as well as the provision of audio-visual services.	1533862	\$5,000	\$5,000
Home Hill Harvest Festival Committee Inc.	Home Hill Harvest Festival incorporating Bride of the Year, Town of Origin, Students Ball, Derby Day, Fun Run, Golf Ambrose, Thanksgiving Church Service, Presidents Bowls, Pet Show, Bolt for Bucks, Seniors Afternoon, Gala Ball and Procession and Mardi Gras. Funding will be used to help advertise the Home Hill Harvest Festival via printed press, radio, television and billboards.	1533861	\$5,000	\$5,000
Burdekin Brass Band Inc.	Refurbish band hall roof and electrics.	1533863	\$4,835	\$0
Totals			\$14,835	\$10,000

The Burdekin Brass Band was unsuccessful in its application as the guideline clearly states in Clause 5.2 under Eligibility and Conditions of Grant Funding that purchase of capital items and/or ongoing related costs are examples of ineligible projects/expenses. Furthermore, it is also documented that other local community groups recently received funding for similar projects/expenses through alternative funding bodies that Burdekin Brass Band did not apply for.

CLAUSE 3 RECOMMENDATION FOR COMMUNITY GRANTS FUNDING 2016/17

The Community Grants Panel recommends that Council adopt funding of community projects as it appears in the table at Clause 2 for the 2016/17 financial year.

CLAUSE 4 UPDATE COMMUNITY GRANTS GUIDE FOR APPLICANTS

It was agreed the Community Grants Guide for Applicants should include information about alternative funding opportunities for community groups. It should also remind applicants that a Community Grants Application should only be submitted to Council once all other funding avenues had been exhausted.

CLAUSE 5 PUBLIC NOTICE REGARDING NEW DEADLINES FOR GRANT SUBMISSION

Two submissions for the latest round were received outside of the appropriate deadlines. The Panel agreed to arrange a public notice and correspondence to community groups regarding the new deadlines.

There being no further business, the meeting closed at 9.30am.

Tony Vaccaro
CHAIRMAN

4 REPORTS

5 GOVERNANCE & LOCAL LAWS

6 CLIENT SERVICES

7 FINANCIAL & ADMINISTRATIVE SERVICES

8 OPERATIONS

8.1 Review of Ayr Sewage Treatment Plant

Mr. Wayne Saldumbide to present to Council a review of the Ayr Sewage Treatment Plant.

9 TECHNICAL SERVICES

10 PLANNING & DEVELOPMENT

11 COMMUNITY DEVELOPMENT

12 ECONOMIC DEVELOPMENT

13 NOTICES OF MOTION

14 CORRESPONDENCE FOR INFORMATION

Tabled Separately

15 GENERAL BUSINESS

16 CLOSED MEETING ITEMS

17 DELEGATIONS

17.1 Presentation - Review of Burdekin Shire Council Cultural Facilities and Operations

9.30am - Ms. Lisa Trevellick of Arts Consultancy and Project Management to present to Council findings and recommendations of the review of Burdekin Shire Council Cultural Facilities and Operations.

