



BURDEKIN SHIRE COUNCIL



MINUTES

ORDINARY COUNCIL MEETING

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

on 14 March 2017

COMMENCING AT 9:00AM



TUESDAY 14 MARCH 2017

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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. T. Brennan - Chief Executive Officer
Mr. D. Mulcahy – Manager Governance and Local Laws
Mr. S. Great - Manager Planning and Development
Mr. W. Saldumbide - Manager Operations
Mr. K. Byers - Manager Technical Services

Minutes Clerk – Mrs. S. Saunders

Apologies: Councillor A.J. Goddard – Approved leave of absence.

1 PRAYER

The meeting prayer was delivered by Pastor Ian Ness of the Burdekin Uniting Church.

2 DECLARATIONS OF INTEREST

The Mayor called for any declarations of interest.

Councillor Woods declared a perceived Conflict of Interest in relation to Item 5.5 as he is a patron and has been associated with the Home Hill Community Kindergarten for the past 35 years. Councillor Woods advised of his intentions to leave the room during discussion of this item.

3 MINUTES AND BUSINESS ARISING

3.1 Ordinary Council Meeting Minutes - 28 February 2017

Recommendation

That the minutes of the Ordinary Council Meeting held on 28 February 2017 be received as a true and correct record.

Resolution

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

CARRIED

3.2 Burdekin Cultural Advisory Group Meeting Minutes - 28 November 2016

Recommendation

That the minutes of the Burdekin Cultural Advisory Group Meeting held on 28 November 2016 be received and adopted.

Resolution

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

CARRIED

3.3 Burdekin Senior Advisory Committee Meeting - 8 February 2017

Recommendation

That the minutes of the Burdekin Senior Advisory Committee Meeting held on 8 February 2017 be received and adopted.

Resolution

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

CARRIED

3.4 Burdekin Building Safer Communities Action Team Meeting Minutes - 8 February 2017

Recommendation

That the minutes of the Burdekin Building Safer Communities Action Team Meeting held on 8 February, 2017 be received and adopted.

Resolution

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

CARRIED

3.5 Local Disaster Management Group Meeting Minutes - 17 February 2017

Recommendation

That the minutes of the Local Disaster Management Group Meeting held on 17 February 2017 be received as a true and correct record.

Resolution

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

CARRIED

3.6 Burdekin Shire Youth Council Meeting Minutes - 27 February 2017

Recommendation

That the minutes of the Burdekin Shire Youth Council Meeting held on 27 February 2017 be received.

Resolution

Moved Councillor Perry, seconded Councillor Bonanno that the recommendation be adopted with the amendment of recording the school that the Youth Mayor and Deputy Youth Mayor attend.

CARRIED

4 REPORTS

4.1 Council Workshops - February 2017

Executive Summary

During the past month workshops were conducted by Council on 7 and 21 February to discuss various policy and operational issues. A number of other workshops were also held during the month associated with the preparation of the 2017/18 Budget.

A brief summary of the issues discussed at the workshops on 7 and 21 February is outlined in this report.

Recommendation

That the report on Council workshops held during the month of February 2017 be received and noted.

Resolution

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

CARRIED

5 GOVERNANCE & LOCAL LAWS

5.1 Review of Council Vehicle Policy

Executive Summary

The Council's current Vehicle policy was last reviewed in April 2013 and is overdue for review. The policy outlines the conditions for the provision, maintenance and use of all vehicles, including private use vehicles under salary sacrifice arrangements.

The proposed amendments endeavour to address criticism of the existing policy by some sections of the community relating to the value of some vehicles purchased and by officers in relation to the prescriptive nature of some provisions.

Recommendation

That Council adopt the amended Vehicle policy as attached to the CEO's report.

Resolution

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

CARRIED

5.2 Tenders - Agricultural Lease - Ayr Aerodrome

Executive Summary

Through public advertisement Council called tenders for leasing part of the land (54.11 hectares) at the Ayr Aerodrome for agricultural purposes. Four tenders were received.

Recommendation

1. Council accepts the tender from Kenrose Co Pty Ltd for the leasing of an area of land at the Ayr Aerodrome for agricultural purposes this being the most advantageous tender received.
2. Council agrees to enter into a freehold lease with Kenrose Co Pty Ltd for agricultural purposes over land at the Ayr Aerodrome described as Leases B, C and D on Lot 106 RP898777 containing an area of 54.11 hectares, for a period of three (3) years with an option for a further 2 years.
3. Council grant immediate occupancy of the land subject to Public Liability documentation being provided.

Resolution

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

CARRIED

5.3 Expressions of Interest - Ayr Racecourse Reserve

Executive Summary

Through public advertisement Council invited expressions of interest from community based not for profit organisations to lease land and all or some of the buildings located at 1-45 Cunningham Street, Ayr (Ayr Racecourse Reserve). Three expressions of interest were received from the Burdekin Performance Horse Club Inc, Burdekin Track and Field Club Inc and the Townsville Greyhound Racing Club Inc.

Recommendation

1. That Council agrees to enter into a Trustee Lease with the Burdekin Performance Horse Club Inc over part of Lot 1 on Plan GS95 Reserve for Sport and Recreation for a period of 10 years subject to the usual terms and conditions set by the Department of Natural Resources & Mines and Council, and subject to the Club obtaining the relevant planning approval.
2. The Council undertakes discussions with the Burdekin Track and Field Club Inc and Townsville Greyhound Racing Club Inc to obtain further information with regard to their expressions of interest submitted for the lease of part of Lot 1 on Plan GS95 Reserve for Sport and Recreation.

Resolution

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

CARRIED

5.4 2016-17 Budget Allocation for Boat Storage – Aquatic Weed Control

Executive Summary

Council has 2 boats used for aquatic weed control activities. One boat is currently stored in the open next to the existing sheds at the Jones Street Depot that house the vector and weed control equipment. It is recommended that additional storage be provided to cover and protect the boat.

Recommendation

That Council approves the amendment of the 2016-17 Budget by including a capital allocation of \$7,000 to cover the construction of additional covered storage at the Jones Street Depot to house the boat used for aquatic weed control activities.

Resolution

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

CARRIED

5.5 Proposed Extension of Leased Area - Home Hill Community Kindergarten Inc

9.38am – Councillor Woods left the meeting due to a perceived Conflict of Interest as he is the Patron of the Home Hill Community Kindergarten.

Executive Summary

The Home Hill Community Kindergarten has requested approval to extend the northern boundary of their leased area in Tenth Avenue, Home Hill by 10 metres to accommodate a storage area and additional play area.

Recommendation

That approval is granted to the Home Hill Community Kindergarten Inc. to extend the boundary of its leased area in Tenth Avenue, Home Hill by 10 metres subject to the following:

1. Surrender of the current trustee lease held by Home Hill Community Kindergarten Inc. over part Lot 19 on Crown Plan SB744;
2. The issue of a new trustee lease to Home Hill Community Kindergarten Inc. over part Lot 19 on Crown Plan SB744 for a period of 10 years subject to the usual terms and conditions set by the Department of Natural Resources & Mines and Council to accommodate the proposed northern boundary extension of 10 metres;
3. The Home Hill Community Kindergarten Inc. being responsible for the fees associated with the registration of the lease in the Land Registry and the preparation of a new lease plan.

Resolution

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

CARRIED

9.43am – Councillor Woods returned to the meeting.

6 CLIENT SERVICES

7 FINANCIAL & ADMINISTRATIVE SERVICES

8 OPERATIONS

9 TECHNICAL SERVICES

10 PLANNING & DEVELOPMENT

10.1 Development Application - Material Change of Use for Motor Sports Facility at 30825 Bruce Highway Brandon (Lot 12 on SP138992 Parish of Jarvisfield, County of Gladstone)

Executive Summary

An application has been received from Rodney and Teresa Heathcote, seeking approval for a Material Change of Use for Motor Sports Facility at 30825 Bruce Highway, Brandon (Lot 12 on SP138992, Parish of Jarvisfield, County of Gladstone) A Development Application (Impact Assessable) has been triggered in accordance with the Burdekin Shire Council's IPA Planning Scheme.

Recommendation

That Council approves the Development Application for a Material Change of Use for a Motor Sports Facility at 30825 Bruce Highway, Brandon (Lot 12 on SP138992, Parish of Jarvisfield, 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 supporting documents in the application submitted.
- 1.4 Prior to the commencement of use, lodge with Council an Operational Noise Management Plan (ONMP) for endorsement. The plan will be made available to the general public and must include the following details:
 - Type and number of events proposed including incidental training sessions per annum;
 - Proposed operating times;
 - Noise abatement strategies during an event; and
 - Details on the operator's complaint management system.

Any variations including incidental training sessions to the endorsed ONMP can only be changed following agreement by the Chief Executive Officer of Council. The variation must be made in writing within a minimum of three days' notice being given prior to any request being considered.

Building, Plumbing and Drainage Works

- 2.1 The applicants are required to obtain a Development Permit and Building Final for any new Building Works in accordance with the *Sustainable Planning Act 2009*. Any new works are to comply with the *Building Act 1975*.

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- 2.2 The applicants are required to obtain a Development Permit for Plumbing and Drainage Works and Plumbing and Drainage Final in accordance with the *Sustainable Planning Act 2009*. Any new works are to comply with the *Plumbing and Drainage Act 2002*.

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.

External Works

4. 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

- 5.1 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 and/or Department of Transport and Main Roads.
- 5.2 Vehicle entry and exit points are to be as per Appendix B: Vehicle entry / exit paths, prepared by Rodney and Teresa Heathcote, not dated, no drawing reference number lodged in response to an information request from DTMR.

Damage

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

Drainage/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 for the development, 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) 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;

Environment and Health

- 9.1 No release of contaminants, including, but not limited to dust, fumes, odour or aerosols is to cause or be likely to cause an environmental nuisance beyond the boundaries of the premises to which this development permit relates.
- 9.2 Noise emitted by the activity is regulated under the *Environmental Protection Act 1994* and subordinate legislation. Ensure no contraventions over the levels defined are committed.
- 9.3 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;
 - (b) implement abatement measures to minimise the emissions from the site and;
 - (c) record any complaint in the Complaints Register.
- 9.4 The track and any unsealed area should be regularly watered to avoid dust.
- 9.5 All spillage of waste, oils, chemicals or similar materials shall be cleaned up as soon as practical. Such spillage shall not be cleaned up by hosing, sweeping or otherwise releasing such wastes or contaminants to the land or stormwater infrastructure.
- 9.6 A spill kit must be maintained on site for use on spillages of any materials on site and be readily accessible at all times.
- 9.7 Fuel loading must only be conducted on a dedicated fuel loading area that is graded and drained to a collection sump suitable for the collection of fuel spillage
- 9.8 All solid wastes or other materials likely to produce contaminants shall be stored in bins with lids in place to prevent the ingress of stormwater.
- 9.9 Drains are to be designed and maintained with sufficient capacity to remove flows experienced during typical rain events.
- 9.10 No wash down of vehicles is to be permitted.
- 9.11 Waste and recycling services must be provided in accordance with Council's Waste Management Policy.
- 9.12 Regulated waste such as tyres and waste oil must be retained by participants and not stockpiled on site.

Amenity

10. The operator of the Facility must keep a Complaints Register on the land at all times, for the inspection of an authorised office of the Council identifying:
- The time, date and detail of any complaint made to the operator relating to the use and occupation of the facility; and
 - Any action or response taken by the operator to rectify or reasonably deal with the complaint.

Advice (These are not conditions)

- *Any food prepared or sold from the site must comply with the provisions of the Food Act 2006.*
- *Food premises fit out plans must be submitted to Council for approval prior to construction.*
- *Waste and recycling services must be provided in accordance with Council's Waste Management Policy.*

Resolution

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

CARRIED

11 COMMUNITY DEVELOPMENT**12 ECONOMIC DEVELOPMENT**

13 NOTICES OF MOTION

13.1 Approval of Submission - Building Our Regions - Round Three

Recommendation

That Council approves the submission of applications under the Queensland Government Department of State Development's Building Our Regions Round 3 for the following projects –

1. "Ayr/Brandon Waste Water Treatment Plant Upgrade/Refurbishment" noting that Council's contribution from the 2017/18 budget would be \$234,000 or 60% of the total project costs of \$390,000;
2. "Home Hill Waste Water Treatment Plant Upgrade/Refurbishment" noting that Council's contribution from the 2017/18 budget would be \$189,000 or 60% of the total project costs of \$315,000; and
3. "Edwards Street Drainage Upgrade" noting that Council's contribution from the 2017/18 budget would be \$700,000 or 50% of the total project costs of \$1,400,000;

and commits to the future maintenance funding of such assets.

Resolution

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

CARRIED

14 CORRESPONDENCE FOR INFORMATION

14.1 Request - Change Ayr Fountain to Purple - Epilepsy Awareness - 26 March 2017

Resolution

Moved Councillor Perry, seconded Councillor Liessmann that in recognition of Epilepsy Awareness Day on 26 March 2017, Council agrees to the request to change the Queen Street, Ayr fountain to the colour of purple as a show of support.

CARRIED

10.36am – Break for Morning Tea.

10.59am – Resumed meeting.

15 GENERAL BUSINESS

15.1 Request - Use of Council Bus – Burdekin Community Church - Youth Group Activities

Resolution

Moved Councillor Woods, seconded Councillor Perry that Council support the Burdekin Community Church through in-kind support by providing the use of Council's bus and the provision of a driver to transport youth from Home Hill to Burdekin Community Church, Ayr and return each Friday night to participate in Youth Group Activities up until 26 May 2017.

CARRIED

15.2 Tourism Volunteer Conference - Townsville - 4 to 5 April 2017

Resolution

Moved Councillor Bawden, seconded Councillor Perry that Council approves the attendance of Councillor Woods at the Tourism Volunteer Conference in Townsville on 4 & 5 April 2017 and approves the use of the Council Bus to transport volunteers to attend the conference.

CARRIED

15.3 Invitation - Wetlands Meeting - 17 March 2017

Resolution

Moved Councillor Liessmann, seconded Councillor Perry that Council approves the attendance of Councillor Woods at the Lower Burdekin Wetlands Meeting being held at the DPI Centre Ayr on the 17 March 2017 and subsequent floating wetland pilot project.

CARRIED

15.4 Invitation - Queensland Young Achievers Gala Awards - Brisbane - 5 May 2017

Resolution

Moved Councillor Woods, seconded Councillor Perry that Council approves the attendance of Councillor McLaughlin at the Queensland Young Achievers Gala Awards Presentation in Brisbane on 5 May 2017 due to a local resident being a finalist in the Awards and any expenses for the Mayor to attend the Awards presentation be met by Council.

CARRIED

15.5 John Drysdale Memorial Project - Lions Diorama - Carstairs Park, Home Hill

Resolution

Moved Councillor Woods, seconded Councillor Bawden that Council endorse the actions of the Mayor, Councillor McLaughlin in approving the installation of the John Drysdale Memorial Project at the Lions Diorama at Carstairs Park, Home Hill.

CARRIED

16 CLOSED MEETING ITEMS

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

Resolution

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

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

- Provision of Animal Pound Services
- Plantation Park Development
- Kirknie Road Landfill Cell Construction

CARRIED

Council Meeting opened to Public

Resolution

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

CARRIED

15 GENERAL BUSINESS

15.6 Provision of Animal Pound Services 2017-2022

Resolution

Moved Councillor Bawden, seconded Councillor Woods that Council resolves that it is satisfied that there is only 1 supplier who is reasonably available to supply the services requested under TBSC/17/002 – Provision of Animal Pound Services and in accordance with the Local Government Regulation 2012, Section 235(a), authorises the Chief Executive Officer to enter into negotiations with that supplier to award a contract.

CARRIED

15.7 Plantation Park Nature Based Play Area - Mary Jeavons Landscape Architects

Resolution

Moved Councillor Woods, seconded Councillor Perry that Council resolves to contract Mary Jeavons Landscape Architects to provide the detailed design, project tender documentation and project management services to develop a nature based play area within Plantation Park, Ayr as permitted by section 235 of the Local Government Regulation 2012 due to the specialised nature of the services that are being sought which would make it impractical or disadvantageous for Council to invite quotes or tenders for the work.

CARRIED

17 DELEGATIONS

There being no further business the meeting closed at 12.25pm.

These minutes were confirmed by Council at the Ordinary Council Meeting held on Tuesday 28 March 2017.

MAYOR

