



BURDEKIN SHIRE COUNCIL



MINUTES

ORDINARY COUNCIL MEETING

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

on 26 September 2017

COMMENCING AT 9:00AM



TUESDAY 26 SEPTEMBER 2017

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 - 12 September 2017	1
3.2	Burdekin Cultural Advisory Group Meeting Minutes - 27 July 2017	2
3.3.1	RADF Advisory Group Meeting Minutes - 12 September 2017	2
3.3.2	Advertisement - Expression of Interest - Commission Art Projects	3
3	MINUTES AND BUSINESS ARISING	3
3.4	Community Grants Panel Meeting Minutes - 19 September 2017	3
4	REPORTS	3
4.1	Operational Monthly Report for Period Ending 31 August 2017	3
4.2	Capital Projects Report for Period Ending 31 August 2017	4
5	GOVERNANCE & LOCAL LAWS	4
5.1	Purchase of Microbiological Testing Equipment	4
6	CLIENT SERVICES	4
7	FINANCIAL & ADMINISTRATIVE SERVICES	4
8	OPERATIONS	5
9	TECHNICAL SERVICES	5
10	PLANNING & DEVELOPMENT	5
10.1	Development Application - Material Change of Use for Horse Riding Facility on Part of 1-45 Cunningham Street, Ayr (Part of Lot on GS95)	5



11	COMMUNITY DEVELOPMENT	9
12	ECONOMIC DEVELOPMENT	9
13	NOTICES OF MOTION	9
14	CORRESPONDENCE FOR INFORMATION	9
14.1	Request for Assistance- The Burdekin Machinery Preservationists Inc	9
15	GENERAL BUSINESS	9
15.2	Local Government Grants and Subsidies Program 2017-19 - Macro Algal Bioremediation of Discharge Effluent - Ayr Sewage Treatment Plant	9
15.3	Local Government Grants and Subsidies Program 2017-19 - Home Hill Water Tower Switchboard Upgrade	10
15.4	Approved Leave of Absence - Councillor Liessmann	10
15.5	Request for Permission - Install Murals on Side of Buildings	10
15.6	Investigation - Motorised Footpath Sweeper	10
15.7	Application for Subsidiary On-Premises Liquor Licence - Pioneer Park Speedway	11
16	CLOSED MEETING ITEMS	11
17	DELEGATIONS	12

ATTENDANCE

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

Mr. T. Brennan - 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
Mrs. E. Robinson – Manager Client Services

Minutes Clerk - Mrs. C. Dingle

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.

Mayor, Councillor McLaughlin declared a perceived Conflict of Interest relating to Item 10.1 as two of the executive members of the organisation that is the Applicant are a former work colleague and another is a family friend. Councillor McLaughlin advised of her intentions to leave the meeting when this item is discussed.

3 MINUTES AND BUSINESS ARISING

3.1 Ordinary Council Meeting Minutes - 12 September 2017

Recommendation

That the minutes of the Ordinary Council Meeting held on 12 September 2017 be received and confirmed.

Resolution

Moved Councillor Bonanno, seconded Councillor Goddard that the recommendation be adopted with the following amendment;

- That in relation to Item 9.2 – The funds to update the local flood model for Ayr, Brandon and Home Hill are to be allocated from the Recurrent Maintenance Reserve and not the Drainage Reserve.

CARRIED

3.2 Burdekin Cultural Advisory Group Meeting Minutes - 27 July 2017

Recommendation

That the minutes of the Burdekin Cultural Advisory Group Meeting held on 27 July 2017 be received and adopted, noting that the recommendation relating to the Community Drought Support Package (Item 3) had been superseded by an alternate proposal for the use of the available funds.

Resolution

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

CARRIED

3.3.1 RADF Advisory Group Meeting Minutes - 12 September 2017

9.18am – Mrs. Horan attended the meeting.

Recommendation

That the minutes of the RADF Advisory Group Meeting held on 12 September 2017 be received and adopted.

Resolution

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

Voting on Motion

FOR – Councillors Woods, Bonanno, Liessmann, Goddard, Perry and Bawden.

AGAINST – Councillor McLaughlin

6/1

CARRIED

Councillor Liessmann advised that the concept outlined in item 3 of the Proposed Art Projects in Clause 5 was no longer proceeding.

9.38am – Mrs. Horan left the meeting.

3.3.2 Advertisement - Expression of Interest - Commission Art Projects

Resolution

Moved Councillor Liessmann, seconded Councillor Perry that Council place advertisements in the Burdekin Advocate, Townsville Bulletin and on social media inviting regional artists, sculptors and artisans to register an expression of interest in undertaking commissions in the Burdekin Shire, noting that a register of interest will improve the chances of attracting relevant artists when proposed projects are advertised.

CARRIED

3 MINUTES AND BUSINESS ARISING

3.4 Community Grants Panel Meeting Minutes - 19 September 2017

Recommendation

That the minutes of the Community Grants Panel Meeting held on 19 September 2017 be received and adopted.

Resolution

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

CARRIED

4 REPORTS

4.1 Operational Monthly Report for Period Ending 31 August 2017

Recommendation

That the Operational Monthly Report for Period Ending 31 August 2017 be received.

Resolution

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

CARRIED

4.2 Capital Projects Report for Period Ending 31 August 2017

Recommendation

That the Capital Projects Report for Period Ending 31 August 2017 be received.

Resolution

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

CARRIED

5 GOVERNANCE & LOCAL LAWS

5.1 Purchase of Microbiological Testing Equipment

Executive Summary

Council currently undertakes microbiological testing of water supplies at its own public swimming pools, from private water supplies and for non-potable drinking water for licenced premises and permit holders. These samples are forwarded to a laboratory for analysis.

A cost comparison has been undertaken which indicates that Council can make operational savings through the purchase of microbiological testing equipment. Part of these savings can be passed onto consumers through reduced fees once the capital cost has been recovered.

Recommendation

That Council approves the capital purchase of microbiological testing equipment in the 2017-18 Budget and provide an allocation of \$11,000.

Resolution

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

CARRIED

6 CLIENT SERVICES

7 FINANCIAL & ADMINISTRATIVE SERVICES

8 OPERATIONS

9 TECHNICAL SERVICES

10.00am – Councillor McLaughlin left the meeting due to a perceived Conflict of Interest in relation to Item 10.1 as disclosed at the start of the meeting and Councillor Goddard assumed the Chair.

10.02am – Councillor Liessmann left the room during the briefing from Mr. Great.

10.05am – Councillor Liessmann returned to the meeting.

10 PLANNING & DEVELOPMENT

10.1 Development Application - Material Change of Use for Horse Riding Facility on Part of 1-45 Cunningham Street, Ayr (Part of Lot on GS95)

Executive Summary

An application has been received from Burdekin Performance Horse Club Inc, seeking approval for a Material Change of Use for a Horse Riding Facility on Part of 1-45 Cunningham Street, Ayr (Lot 1 on GS95). 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 Horse Riding Facility on Part of 1-45 Cunningham Street, Ayr (Lot 1 on GS95), 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 Camping is only permissible during clinics and shows for a maximum of two consecutive nights up to a total of 20 people. The camping area cannot be utilized by motor homes, caravans or camper trailers.

1.5 Prior to the commencement of use, lodge with Council an Operational Management Plan (OMP) for endorsement. The plan will be made available to the general public and must include the following details:

- Type and number of events proposed per annum;
- Proposed operating times;
- Emission (i.e. noise, dust and odour) abatement strategies; and
- Details on the operator's complaint management system.

Any variations to the endorsed OMP can only be changed following agreement by the Chief Executive Officer of Council.

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 *Planning Act 2016*. Any new works are to comply with the *Building Act 1975*.
- 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 *Planning Act 2016*. 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. 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.

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 Planning Act 2016 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 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.
- 9.3 The day paddocks, arenas and any unsealed areas should be regularly watered to avoid dust.
- 9.4. Any manure stored prior to removal off site or use as fertiliser is to be covered to prevent fly breeding, waste runoff or discharge to the ground.
- 9.5 Manure used for onsite use must be stabilised (composted) before application and should not be applied during periods of heavy rainfall.
- 9.6 Chemicals, fuels or similar liquids must be stored in a location whereby any spillage will not discharge to the ground or any area subject to stormwater or stormwater runoff.
- 9.7 Waste and recycling services must be provided in accordance with Council's Waste Management Policy.

Amenity

- 10.1 The Burdekin Performance Horse Club 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 club 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.
- 10.2 A landscaping plan shall be submitted and approved by the Chief Executive Officer. This plan must be prepared by a 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 screens.

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.*
- *Any ancillary activity (eg. camping) related to the current planning approval may require a permit under Burdekin Shire Local Laws. An application should be made 60 days prior to the activity and all conditions under the permit should be complied with.*

Resolution

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

CARRIED

10.06am – Councillor McLaughlin returned to the meeting and reassumed the Chair.

11 COMMUNITY DEVELOPMENT

12 ECONOMIC DEVELOPMENT

13 NOTICES OF MOTION

14 CORRESPONDENCE FOR INFORMATION

14.1 Request for Assistance- The Burdekin Machinery Preservationists Inc

Resolution

Moved Councillor Bawden, seconded Councillor Woods that Council supports the request from the Burdekin Machinery Preservationists to assist with relocating emptied display cabinets from the Burdekin Heritage Centre to the adjoining former Church building on the 23 October 2017 by providing a small flat top truck and Council workmen to undertake this task.

CARRIED

15 GENERAL BUSINESS

15.2 Local Government Grants and Subsidies Program 2017-19 - Macro Algal Bioremediation of Discharge Effluent - Ayr Sewage Treatment Plant

Resolution

Moved Councillor Liessmann, seconded Councillor Perry that Council approves the submission of an application under the Local Governments Grants and Subsidies Program 2017-19 for the project *“Macro Algal Bioremediation of Discharge Effluent – Ayr Sewage Treatment Plant”* noting that Council is seeking 100% funding for the project and commits to the future maintenance funding of such assets in Council’s Asset Management System.

CARRIED

15.3 Local Government Grants and Subsidies Program 2017-19 - Home Hill Water Tower Switchboard Upgrade

Resolution

Moved Councillor Liessmann, seconded Councillor Goddard that Council approves the submission of an application under the Local Government Grants and Subsidies Program 2017-19 for the project *“Home Hill Water Tower Switchboard Upgrade”* noting that Council's contribution would be \$ 246,380 or 40% of the total project costs of \$ 615,950 excl. GST and commits to the future maintenance of funding of such assets in Council's Asset Management System.

CARRIED

10.38am – Morning Tea

11.00am – Meeting Resumed

15.4 Approved Leave of Absence - Councillor Liessmann

Resolution

Moved Councillor Woods, seconded Councillor Goddard that Council approve leave of absence for Councillor Liessmann from Monday 9 October 2017 to Sunday 15 October 2017.

CARRIED

15.5 Request for Permission - Install Murals on Side of Buildings

Resolution

Moved Councillor Liessmann, seconded Councillor Woods that Council forward correspondence to identified building owners in Home Hill and Ayr requesting permission to install a mural on the side of the building if and when funds become available.

CARRIED

15.6 Investigation - Motorised Footpath Sweeper

Resolution

Moved Councillor Liessmann, seconded Councillor Bawden that Officers investigate and prepare a report on the cost of purchasing a motorised footpath sweeper including details of the cost of the annual steam cleaning program.

CARRIED

15.7 Application for Subsidiary On-Premises Liquor Licence - Pioneer Park Speedway

Resolution

Moved Councillor Goddard, seconded Councillor Bawden that Council offer no objection to the Subsidiary On-Premises Liquor Licence Application for the Pioneer Park Speedway, to operate between Friday – Monday 10:00am to 12:00am in the allocated areas.

Voting on Motion

FOR – Councillors McLaughlin, Bonanno, Liessmann, Goddard, Perry and Bawden.

AGAINST – Councillor Woods

6/1

CARRIED

16 CLOSED MEETING ITEMS

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

Resolution

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

- 275(1)(b) industrial matters affecting employees;
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:

- Progress with enterprise bargaining negotiations
- Solar farm project at Clare
- Ageing in Place project, Ayr
- Leasehold land adjacent to Lloyd Mann Park, Home Hill
- Request for provision of skip bin at Dalbeg/Millaroo

CARRIED

Councillor Bawden retired from the closed section of the meeting whilst the progress with enterprise bargaining negotiations was discussed as his son-in-law is a delegate for the AWU in the negotiations. He returned to the closed section of the meeting after this item had been discussed.

Council Meeting opened to Public

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

CARRIED

17 DELEGATIONS

There being no further business the meeting closed at 12.20pm.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 10 October 2017.

MAYOR

