



Burdekin Shire Council

MINUTES

ORDINARY COUNCIL MEETING

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

on 11 February 2020

COMMENCING AT 9:00AM



Burdekin Shire Council

TUESDAY 11 FEBRUARY 2020

ORDER OF BUSINESS:

ITEM	PRECIS	PAGE
ATTENDANCE		1
1	PRAYER	1
2	DECLARATIONS OF INTEREST	1
3	MINUTES AND BUSINESS ARISING	1
3.1	Ordinary Council Meeting Minutes - 21 January 2020	1
3.2	Burdekin Senior Advisory Group Meeting Minutes - 11 December 2019	2
3.3	RADF Advisory Group Meeting Minutes - 18 December 2019	2
3.4	Local Disaster Management Group Meeting Minutes - 17 January 2020	2
3.5	Local Disaster Management Group Meeting Minutes - 28 January 2020	3
3.6	Local Disaster Management Group Meeting Minutes - 29 January 2020	3
3.7	Local Disaster Management Group Meeting Minutes - 30 January 2020	3
4	REPORTS	3
4.1	Council Workshop - January 2020	3
5	GOVERNANCE	4
5.1	Q2 Report - Operational Plan 2019/2020	4
6	ENVIRONMENTAL AND HEALTH SERVICES	5
6.1	Local Government Waste Management Reforms - Consultation Regulatory Impact Statement (RIS)	5
7	CLIENT SERVICES	5
8	FINANCIAL & ADMINISTRATIVE SERVICES	5
9	OPERATIONS	6



Burdekin Shire Council

9.1	Continuation of Council's Systematic Inspection and Maintenance Program - 26 February 2020 to 26 May 2020	6
10	TECHNICAL SERVICES	6
10.1	Late Report - Road Hierarchy and Standard Road Widths	6
11	PLANNING & DEVELOPMENT	7
11.1	Development Application Material Change of Use for Motel and Hotel Extensions at 50-54 Drysdale Street and 12-16 Spiller Street, Brandon (Lots 1 and 2 on RP866559)	7
12	COMMUNITY DEVELOPMENT	10
12.1	Appointment of Home Hill Parks Master Planning Consultant	10
13	ECONOMIC DEVELOPMENT	11
14	NOTICES OF MOTION	11
15	CORRESPONDENCE FOR INFORMATION	11
16	GENERAL BUSINESS	11
16.1	Approved Leave of Absence - Councillor Goddard - 20 to 24 February 2020	11
16.2	Proposed Notice of Motion - Naming of Roadway Located in Plantation Park	11
16.3	Request for Information - Maintenance Schedule of Detention/Intrusion Pits - Shire Wide - Councillor Woods	12
16.4	Future Budget Consideration - Culvert at Kidby's Gully - Eleventh Avenue, Home Hill - Councillor Liessmann	12
16.5	Request for Information - Proposed Cost and Timing - Minor Improvements to Corner Woods and Groper Creek Roads - Councillor Liessmann	12
16.6	Appointment of Acting Chief Executive Officer - 21 to 28 February 2020	12
17	CLOSED MEETING ITEMS	13
18	DELEGATIONS	13

ATTENDANCE

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

Mr. T. Brennan - Chief Executive Officer
Mr. N. O'Connor – Director Corporate and Community Services
Mr. K. Byers - Manager Technical Services
Mr. W. Saldumbide - Manager Operations
Mr. S. Great - Manager Planning and Development (Part)
Mr. D. Mulcahy – Manager Environmental and Health Services (Part)

Minutes Clerk – Ms. G. Biffanti

Apologies: Mr. N. Wellwood – Director of Infrastructure, Planning and Environmental Services

1 PRAYER

The meeting prayer was delivered by Pastor Esava Koro of the Seventh Day Adventist Church.

2 DECLARATIONS OF INTEREST

The Mayor called for declarations of interest.

During the meeting Councillor Perry declared a conflict of interest in relation to Item 16.2 as Mr. Norm Perry was her father-in-law. Councillor Perry left the room during discussions on this matter.

3 MINUTES AND BUSINESS ARISING

3.1 Ordinary Council Meeting Minutes - 21 January 2020

Recommendation

That the minutes of the Ordinary Council Meeting held on 21 January 2020 be received as a true and correct.

Resolution

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

CARRIED

3.2 Burdekin Senior Advisory Group Meeting Minutes - 11 December 2019

Recommendation

That the minutes of the Burdekin Senior Advisory Group Meeting held on 11 December 2019 be received and adopted.

Resolution

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

CARRIED

3.3 RADF Advisory Group Meeting Minutes - 18 December 2019

Recommendation

That the minutes of the RADF Advisory Group Meeting held on 18 December 2019 be received and adopted.

Resolution

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

CARRIED

3.4 Local Disaster Management Group Meeting Minutes - 17 January 2020

Recommendation

That the minutes of the Local Disaster Management Group Meeting held on 17 January 2020 be received as a true and correct record.

Resolution

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

CARRIED

3.5 Local Disaster Management Group Meeting Minutes - 28 January 2020

Recommendation

That the minutes of the Local Disaster Management Group Meeting held on 28 January 2020 be received as a true and correct record.

Resolution

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

CARRIED

3.6 Local Disaster Management Group Meeting Minutes - 29 January 2020

Recommendation

That the minutes of the Local Disaster Management Group Meeting held on 29 January 2020 be received as a true and correct record.

Resolution

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

CARRIED

3.7 Local Disaster Management Group Meeting Minutes - 30 January 2020

Recommendation

That the minutes of the Local Disaster Management Group Meeting held on 30 January 2020 be received as a true and correct record.

Resolution

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

CARRIED

4 REPORTS

4.1 Council Workshop - January 2020

Executive Summary

The Council conducted a workshop on 31 January 2020 with a range of policy and operational issues discussed.

A brief summary of the items discussed at the workshop is contained in the report.

Recommendation

That the report on the Council workshop held on 31 January 2020 be received and noted.

Resolution

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

CARRIED

5 GOVERNANCE

5.1 Q2 Report - Operational Plan 2019/2020

Executive Summary

The Q2 report for the Operational Plan 2019/2020 provides a fair representation of Council's performance during the period 1 October 2019 - 31 December 2019. The Operational Plan sets out the agreed activities for each section and department of Council and includes measurement statements and targets for each activity. Comments have been provided against each activity to reflect the progress towards achieving the activity within the second quarter. Of the 228 agreed activities within the Operational Plan, 189 activities are meeting or above target with 27 activities progressing. Eleven activities are "inactive" or not yet due to commence and only one activity is considered to be under target. The comments provided in the attached report provide further clarification and detail pertaining to each activity.

At the end of second quarter:

- 189 activities meeting or above target (83%)
- 27 Activities Progressing (12%)
- 11 Inactive (5%)
- 1 Under Target (<1%)

Same time last financial year (2018/2019) for comparison

At the end of second quarter 2018/2019:

- 183 activities meeting or above target (82%)
- 27 Progressing (12%)
- 8 Inactive (4%)
- 5 Under Target (2%)

Recommendation

That Council adopts the Q2 report for the Operational Plan 2019/2020 as attached to this report.

Resolution

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

CARRIED

9.31am Mr. Mulcahy entered the meeting.

6 ENVIRONMENTAL AND HEALTH SERVICES

6.1 Local Government Waste Management Reforms - Consultation Regulatory Impact Statement (RIS)

Executive Summary

The Department of Environment and Science (DES) have forwarded a Consultation Regulatory Impact Statement (RIS) on Local Government Waste Management Reforms to Councils seeking feedback by 10 Feb 2020. The LGAQ have requested feedback by 31 Jan 2020.

The RIS concerns the future treatment of Section 7 of the *Waste Reduction and Recycling Regulation 2011* (**Section 7**) and Chapter 5A of the *Environmental Protection Regulation 2008* (**Chapter 5A**).

The State currently regulates local government waste management under Chapter 5A and Section 7. Although these provisions are in State regulations, they are currently devolved to local governments.

In summary, Section 7 provides councils the ability to designate waste collection areas and can be used in addition to Chapter 5A providing councils the ability to enforce compliance and maintain minimum standards in relation to the provision of waste services in their local government area.

To address the current issues with Section 7 and Chapter 5A, the DES has developed the consultation RIS proposing two options for addressing stakeholder concerns:

- Option 1: Continue existing provisions indefinitely (base case).
- Option 2: Retain and amend the state provisions

Recommendation

That Council confirms the action of the Chief Executive Officer in advising the Department of Environment and Science that the Council's position in relation to the Consultation Regulatory Impact Statement (RIS) on Local Government Waste Management Reforms is as follows:

1. First preference is for Option 1 - continue existing provisions indefinitely.
2. Second preference is for Option 2 - retain and amend the state provisions, providing that the transitioning and grandfathering provisions are included allowing for existing contracts to work out to their existing contractual expiry dates.

Resolution

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

CARRIED

7 CLIENT SERVICES

8 FINANCIAL & ADMINISTRATIVE SERVICES

9.34am Mr. Mulcahy left the meeting.

9.35am Mr. Great entered the meeting.

9 OPERATIONS

9.1 Continuation of Council's Systematic Inspection and Maintenance Program - 26 February 2020 to 26 May 2020

Executive Summary

Council undertakes an annual sewerage inspection program as part of a five-year rolling plan to monitor ongoing performance of Council's network of 2583 sewerage manholes. The current approved program is due to expire on 25 February 2020 with approximately 40% of the targeted inspection program complete. Council is requested to approve an extension of the program from 26 February 2020 to 26 May 2020 to complete the first phase of the program. Council's approval is required as entry to private properties may be a necessary part of the inspection program.

Recommendation

That Council adopts the proposed extension period for the Sewerage Inspection and Maintenance Program (sewer smoke testing and manhole resealing) for the purpose of detecting damaged sewer infrastructure, defective or unauthorised house drain connections and preventing the practice of lifting sewer manhole lids to drain stormwater, between the hours of 7.00am - 5.00pm, Monday to Friday, between 26 February 2020 and 26 May 2020 as a Selective Inspection Program in accordance with Section 134 of the *Local Government Act 2009*.

Resolution

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

CARRIED

10 TECHNICAL SERVICES

10.1 Late Report - Road Hierarchy and Standard Road Widths

Executive Summary

As part of Burdekin Shire Council's ongoing process of formalising all engineering design standards, a Road Hierarchy has been developed. This Road Hierarchy categorises roads based on functionality of the road, traffic volumes, catchment areas and strategic management objectives. The Road Hierarchy also designates the Road Design and Treatment Standard appropriate for each category.

The proposed Road Hierarchy and associated standard road design cross sections were presented to Council for feedback at the Council Workshop on 20th August 2019.

The purpose of this report is to introduce the finalised Road Hierarchy and Standard Road Widths Policy for Council endorsement and subsequent implementation.

Recommendation

Council endorse the adoption of the Road Hierarchy and Standard Road Widths Policy and associated Standard Drawings to be utilised for engineering, asset management and development purposes.

Resolution

Moved Councillor Goddard, seconded Councillor Perry that Council adopts the Road Hierarchy and Standard Road Widths Policy and associated Standard Drawings to be utilised for engineering, asset management and development purposes as presented, excluding clause 6.4.

CARRIED

11 PLANNING & DEVELOPMENT

11.1 Development Application Material Change of Use for Motel and Hotel Extensions at 50-54 Drysdale Street and 12-16 Spiller Street, Brandon (Lots 1 and 2 on RP866559)

Executive Summary

Council has received a Development Application from Brazier Motti on behalf of their client SGL Hotels Pty Ltd seeking a development permit for a Material Change of Use for Motel and Hotel Extensions at 50-54 Drysdale Street and 12-16 Spiller Street, Brandon (Lots 1 and 2 on RP866559)

The proposal is for defined uses 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 Material Change of Use Motel and Hotel Extensions at 50-54 Drysdale Street and 12-16 Spiller Street, Brandon (Lots 1 and 2 on RP866559) 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 where modified by the conditions of this Development Permit and any approval issued there under.

Document/Title	Job No	DWG No	Issue No
Site Plan	19.001	SK-01	G
Motel Floor Plan & Elevations	19.001	SK-02	E
Hotel Part Floor Plan & Elevation	19.001	SK-03	C
Hotel Elevation & Section	19.001	SK-04	A

- (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.

Compliance with conditions

2. The proposed development must comply with all conditions of this development permit prior to the commencement of the 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.

Public Utility Services/Damage

- 5.1 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.
- 5.2 Any damage which is caused to Council's infrastructure as a result of the proposed development must be repaired immediately.

Building Work

6. A development permit for Building Works is to be obtained before any triggered assessable building works are carried out on the premises.

Access and Carparking

- 7.1 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 by 'Darren Dickfos Architects'. (Ref: Dwg No.SK-01 G)
- 7.2 Access to the premises, car parking and manoeuvring areas must be constructed in an all-weather low glare paving, exposed aggregate concrete or similar material to the satisfaction of the Chief Executive Officer.
- 7.3 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.

Water Supply

8. 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.

Sewerage Supply

- 9.1 The development must be serviced by the Council's reticulated sewerage system. The sewerage connection is to be provided at a location approved by Council. The developer shall bear the costs of design and construction associated with such connections including any alterations or upgrades to Council's existing infrastructure.

-
- 9.2 Sewerage is to be constructed in accordance with Council's 'Erection of Structures Over or Adjacent to Sewers or Water Mains' Policy and associated Technical Guidelines.

Amenity - Lighting

10. Any night and outdoor lighting must be designed, conducted and operated in accordance with 'AS 4282 – Control of the obtrusive effects of outdoor lighting'.

Drainage

- 11.1 Stormwater drainage from any new paved/sealed areas must be discharged under the footpath to kerb and channelling within the adjoining road reserves in accordance with AS3500.2.2003 or as otherwise required or agreed to in writing by the Chief Executive Officer.
- 11.2 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.
- 11.3 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system.

Operational Works

12. Where operational works are required to be carried out as part of any development permit issued, the developer must, within the timeframes 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 a 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.

Amenity – Screen Fencing

13. The existing 1.8m high screen fence must be maintained along the property boundaries. Any changes to the type and design of the existing fence must be submitted and approved by the Chief Executive Officer prior to any new screen fence being constructed.

Landscaping and Screening

14. 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;
 - location of public infrastructure;

Environment and Health

15. Facilities for the use of occupants at the premises must comply and be maintained at all times in accordance with the provisions of the relevant Local Law.

Amenity - Noise

16. The activities subject to this development approval must be conducted in a manner to ensure that no noise deemed unreasonable by an authorised person and caused by the activity can be detected beyond the boundary of the site to which this development permit relates.

Advice Only;

- *Detailed plans of proposed buildings or alterations, which comply with the Food Act 2006 and Food Standards Code requirements, including details of all facilities, must be submitted and approved prior to providing food or use of any buildings used in connection with the business.*
- *The activity must be operated in accordance with Council's Waste Management Policy and the Environmental Protection (waste management) regulation 2000.*
- *A Development Application for building works which include habitable rooms may have to include a 1% AEP Flood Certificate. N.B. this applies in Localised and River Flood areas as identified in Burdekin Shire Councils mapping.*
- *Prior to any works in the vicinity of the existing manhole approval is required by Council.*

Resolution

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

CARRIED

12 COMMUNITY DEVELOPMENT

12.1 Appointment of Home Hill Parks Master Planning Consultant

Executive Summary

Council at its meeting of the 12 November 2019 approved the calling of quotations from suitably qualified suppliers to undertake community consultation and prepare detailed master plans for Watson's Green Park and Memorial Park, Home Hill.

A Consultants' quotation brief was raised in November 2019 and three companies responded with quotations to undertake Master planning for Council.

At the Councillor Workshop held on Tuesday, 4 February 2020 staff briefed Councillors on the assessment process undertaken to determine the preferred consultant.

The purpose of this report is to seek Council's endorsement of actions taken by staff to appoint Ross Planning Pty Ltd on the 5 February 2020 to undertake community consultation and prepare detailed master plans for Watson's Green park and Memorial Park, Home Hill.

Recommendation

That Council notes the content of this report and endorses the actions undertaken by staff to engage Ross Planning Pty Ltd to undertake community consultation and prepare detailed master plans for Watson's Green park and Memorial Park, Home Hill.

Resolution

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

CARRIED

13 ECONOMIC DEVELOPMENT

14 NOTICES OF MOTION

15 CORRESPONDENCE FOR INFORMATION

16 GENERAL BUSINESS

16.1 Approved Leave of Absence - Councillor Goddard - 20 to 24 February 2020

Resolution

Moved Councillor Liessmann, seconded Councillor Perry that Councillor Goddard be granted an approved leave of absence from 20 to 24 February 2020.

CARRIED

16.2 Proposed Notice of Motion - Naming of Roadway Located in Plantation Park

Councillor Perry declared a conflict of interest at this point of the meeting as Mr. Norm Perry was her father-in-law. Councillor Perry left the room as discussions continued.

9.47am – Councillor Perry left the meeting.

Councillor Goddard advised that he propose to table a letter to Council from The Rotary Club of Ayr Inc. requesting the roadway located in Plantation Park, Ayr be named after Mr. Norm Perry, a long standing member who contributed significantly to the Burdekin Community.

Councillor Goddard indicated he would submit a Notice of Motion for the 25 February 2020 meeting seeking Council consideration of the request.

9.49am – Councillor Perry returned to the meeting.

16.3 Request for Information - Maintenance Schedule of Detention/Intrusion Pits - Shire Wide - Councillor Woods

Resolution

Moved Councillor Woods, seconded Councillor Liessmann that Council Officers provide a report to Council on the maintenance schedule of intrusion pits throughout the whole Shire, including the cleaning schedule and last date cleaned.

CARRIED

16.4 Future Budget Consideration - Culvert at Kidby's Gully - Eleventh Avenue, Home Hill - Councillor Liessmann

Resolution

Moved Councillor Liessmann, seconded Councillor Woods that an upgrade to the culvert at Kidby's Gully on Eleventh Avenue, Home Hill be listed for future budget considerations.

CARRIED

16.5 Request for Information - Proposed Cost and Timing - Minor Improvements to Corner Woods and Groper Creek Roads - Councillor Liessmann

Resolution

Moved Councillor Liessmann, seconded Councillor Perry that Council Officers provide a report to Council regarding estimated cost and possible timing for minor improvements to corner Woods and Groper Creek Roads, Home Hill.

CARRIED

16.6 Appointment of Acting Chief Executive Officer - 21 to 28 February 2020

The Chief Executive Officer advised he would be absent from 21 to 28 February 2020 attending to Local Government Mutual (LGM) Board business.

Resolution

Moved Councillor Woods, seconded Councillor Perry that Mr. N. O'Connor be appointed as Acting Chief Executive Officer in the absence of Mr. T. Brennan from 21 to 28 February 2020.

CARRIED

17 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.

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

For the purpose of discussing;

1. Draft of North Queensland Regional Plan
2. Staffing Matters
3. Bowen Pipeline Project

CARRIED

Council Meeting opened to Public

Resolution

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

CARRIED

18 DELEGATIONS

There being no further business the meeting closed at 11.00am.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 25 February 2020.

MAYOR

