



Burdekin Shire Council

MINUTES

ORDINARY COUNCIL MEETING

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

on 23 June 2020

COMMENCING AT 10:00AM



Burdekin Shire Council

TUESDAY 23 JUNE 2020

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ATTENDANCE

Councillors L.A. McLaughlin (Mayor), S.P. Perry (Deputy Mayor), K.D. Boccalatte, J.T. Bonanno, M.J. Detenon, J.A.G. Furnell and M. Musumeci.

Mr. T. Brennan - Chief Executive Officer
Mr. N. O'Connor – Director Corporate and Community Services
Mr. N. Wellwood – Director of Infrastructure, Planning and Environmental Services
Mrs. K. Olsen - Manager Financial & Administrative Services (Part)
Mr. D. Cornwell – Manager Community Services (Part)
Mr. S. Great - Manager Planning and Development (Part)

Minutes Clerk – Ms. G. Biffanti

1 PRAYER

The meeting prayer was delivered by Pastor Esava Kora of the Seventh Day Adventist 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 - 9 June 2020

Recommendation

That the minutes of the Ordinary Council Meeting held on 9 June 2020 be received as a true and correct record.

Resolution

Moved Councillor Furnell, seconded Councillor Musumeci that the recommendation be adopted.

CARRIED

4 EXECUTIVE

4.1 CEO

4.2 ECONOMIC DEVELOPMENT

5 CORPORATE AND COMMUNITY SERVICES

5.1 CLIENT SERVICES

5.2 COMMUNITY DEVELOPMENT

5.2.1 Burdekin Theatre Refurbishment

Executive Summary

In 2019, Council nominated the Burdekin Theatre Refurbishment as a candidate project to receive \$900,000.00 funding from Council's \$3.07 million 2019/2021 Works for Queensland allocation. Following State Government approval to earmark the \$900,000.00 for the project, Townsville-based engineering consultants GHD Pty Ltd were appointed to develop:

- preliminary concepts;
- suggested project phasing; and
- indicative costing for each the project elements.

The consultant brief required GHD Pty Ltd to prepare refurbishment concepts which combined sound asset management principles coupled with creative design philosophies which enhanced theatre stakeholder experiences. GHD Pty Ltd and Council staff have prepared the attached concepts following extensive stakeholder engagement.

The purpose of this report is to seek Council's approval for commencement of Stage One of the Burdekin Theatre Refurbishment Works and endorsement of the overall refurbishment concepts, noting further engagement and consultation is planned prior to future stages being commissioned.

Recommendation

That Council:

1. Approves commencement of Stage One of the Burdekin Theatre Refurbishment Works as detailed in this report; and
2. Endorses the overall refurbishment concepts as attached to this report, noting further engagement and consultation is planned prior to future stages being commissioned.

Resolution

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

FOR: Councillors McLaughlin, Perry, Boccalatte. Detenon, Furnell and Musumeci

AGAINST: Councillor Bonanno

6/1

CARRIED

5.2.2 Endorsement of Draft Library Strategic Plan 2020 - 2024

Executive Summary

A draft of the Library Strategic Plan 2020 - 2024 has been formulated to articulate a clear vision for Council's Library Service for the next five (5) years and to provide a basis for ongoing Council commitment in high quality, relevant library services.

The purpose of this report is to seek Council's endorsement for the draft Library Strategic Plan to be made available for public comment and feedback as part of the process for final adoption by Council.

Recommendation

That Council endorse the attached draft of the Library Strategic Plan 2020 - 2024 for community feedback.

Resolution

Moved Councillor Perry, seconded Councillor Furnell that the recommendation be adopted, noting the timeframe for the Library Strategic Plan to be amended from 2020-2024 to 2020-2025.

CARRIED

5.2.3 Public Artwork Projects

Executive Summary

In 2019, Council nominated public artworks as a candidate project to receive \$50,000.00 funding from Council's \$3.07 million 2019/2021 Works for Queensland allocation. In addition, \$24,000.00 was allocated as part of the annual 2019/2020 Council Budget for public art (\$19,000.00 carry over from the 2018/2019 year and new allocation of \$5000.00). To date \$4,072.00 has been expended on the installation of the '4807' sign in Plantation Park, Ayr and works for Queensland project signage, while \$9,352.00 has been spent on re-painting the vacuum pump near the Diorama in Home Hill.

The purpose of this report is to seek Council's endorsement for three (3) public art installation projects totalling \$60,576.00.

Recommendation

That:

1. Council endorse the installation of;
 - Shop skins in Home Hill;
 - Small street art in Ayr and other towns; and
 - Cane bin art to promote Sweet Days Hot Nights; as detailed in the body of this report.
2. Council endorse staff to work with the Mayor and Deputy Mayor as Chair of the Regional Arts Development Fund (RADF) Committee to further develop the concepts.
3. The matter be included as an agenda item for the next RADF Committee meeting to ensure RADF members are aware of Council's decision.

Resolution

Moved Councillor Perry, seconded Councillor Detenon that the recommendation be adopted, noting the revised wording of Item 1, dot point three as follows;

1. Council endorse the installation of;
 - Shop skins in Home Hill;
 - Small street art in Ayr and other towns; and
 - Cane bin art to promote Sweet Days Hot Nights Festival
2. Council endorse staff to work with the Mayor and Deputy Mayor as Chair of the Regional Arts Development Fund (RADF) Committee to further develop the concepts.
3. The matter be included as an agenda item for the next RADF Committee meeting to ensure RADF members are aware of Council's decision.

CARRIED

10.29am Mr. Cornwell left the meeting.

10.34am Mr. Great entered the meeting.

5.3 FINANCIAL AND ADMINISTRATIVE SERVICES

5.3.1 Monthly Financial Report for Period Ending 31 May 2020

Recommendation

That the Monthly Financial Report for Period Ending 31 May 2020 be received.

Resolution

Moved Councillor Musumeci, seconded Councillor Boccalatte that the recommendation be adopted.

CARRIED

10.41am Mrs. Olsen left the meeting.

5.4 GOVERNANCE

5.4.1 Claude Outdoor Pty Ltd - Licence Agreement

Executive Summary

At its meeting of 14 October 2014 Council resolved to enter into a Licence Agreement with Claude Outdoor Pty Ltd to install three (3) illuminated street name signs at locations on Queen Street, Ayr.

Recently, Claude Outdoor Pty Ltd wrote to Council seeking its agreement to suspend payment of licence fees for a six (6) month period and to formalise the exercise of the Option to Renew the Licence Agreement for a further five (5) year period, with the renewal period to commence retrospectively from 15 September 2019.

Council resolution is sought for the following two (2) matters:

1. Variation of Licence Agreement; and
2. Formalisation of the Option to Renew the Licence Agreement.

An overview of the Licence Agreement is as follows:

Licensor:	Burdekin Shire Council
Licensee:	Claude Outdoor Pty Ltd
Locations:	South East Mackenzie Street & Queen Street, Ayr South West Drysdale Street & Queen Street, Ayr North West Edward Street & Queen Street, Ayr
Purpose:	Supply, installation and maintenance of Illuminated Street Name Signs with advertising in return for licence fees
Licence Fee:	\$500.00 excluding GST per sign for the First Year and recalculated for the second and subsequent years based on the preceding year's licence fee and Consumer Price Index (CPI)
Commencement:	15 September 2019
Expiry:	14 September 2024

Recommendation

That:

1. Council not agree to Claude Outdoor Pty Ltd's request to vary the Licence Agreement to include a minimum six (6) month licence fee suspension and equivalent extension of Licence Agreement due to COVID-19; and
2. Council agree to formalising the exercise of the Option to Renew the Licence Agreement with Claude Outdoor Pty Ltd for a further five (5) year term which commenced on 15 September 2019 and expires on 14 September 2024.

Resolution

Moved Councillor Detenon, seconded Councillor Musumeci that the recommendation be adopted.

CARRIED

5.4.2 Surrender of Trustee Lease - Home Hill Choral Society Incorporated

Executive Summary

Council approval is requested to consent to the surrender of the following Trustee Lease:

Lessor:	Burdekin Shire Council
Lessee:	Home Hill Choral Society Incorporated
Interest:	Reserve
Leased Premises:	Lease C in Lot 19 on SB744
Location:	81 Ninth Avenue, Home Hill
Commencement:	1 July 2018
Expiry:	30 June 2028 (Nil Option)

Recommendation

That Council agree to the Lessee (Home Hill Choral Society Incorporated) surrendering the whole of Trustee Lease No. 718956265 over the leased premises described as Lease C in Lot 19 on SB744, located at 81 Ninth Avenue, Home Hill.

Resolution

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

CARRIED

6 INFRASTRUCTURE, PLANNING AND ENVIRONMENTAL SERVICES

6.1 ENVIRONMENTAL AND HEALTH SERVICES

6.1.1 Amendment to Wording on Fees and Charges 2020/2021 - Waste Disposal Fees and Charges

Executive Summary

The Department of Environment and Science has advised that to assist businesses in dealing with the financial impacts of COVID-19, the Queensland Government will be deferring the increase of waste levy rates originally scheduled to take effect from 1 July 2020. A six (6) month deferral to 1 January 2021 has been approved.

This means that amendments will have to be made to some of the waste fees and charges that were adopted at the Council meeting held on 26 May 2020.

Recommendation

That Council approve the following changes to the 2020/2021 Burdekin Shire Council Waste Disposal Fees and Charges:

- Amend various fees and charges as documented in Table 1 below, such fees and charges in Column four (4) to be applicable for the period from 1 July 2020 to 31 December 2020.
- Note that the previously adopted fees and charges at the Council meeting held on 26 May 2020 detailed in Column three (3) will be applicable for the period from 1 January 2021 to 30 June 2021.

Table 1: Amendments to Fees and Charges Applicable from 1 July 2020 to 31 December 2020

Column 1	Column 2	Column 3	Column 4
Category	Type	Adopted Rate at 26 May 2020 Meeting (inclusive GST)	New Rate for Period 1/7/20 to 31/12/20 (inclusive GST)
Commercial Waste to Landfill	Commercial general mixed waste – per tonne	Fee: \$140.00 Levy: \$88.00	Fee: \$140.00 Levy: \$82.50
Commercial Waste to Landfill	Commercial lightweight plastics waste – per tonne	Fee: \$206.00 Levy: \$88.00	Fee: \$206.00 Levy: \$82.50
Construction and Demolition Waste to Landfill	Mixed construction and demolition – per tonne	Fee: \$140.00 Levy: \$88.00	Fee: \$140.00 Levy: \$82.50
Construction and Demolition Waste to Landfill	Timber – per tonne	Fee: \$140.00 Levy: \$88.00	Fee: \$140.00 Levy: \$82.50
Regulated Waste to Landfill	Biosolids – per tonne	Fee: \$140.00 Levy: \$121.00	Fee: \$140.00 Levy: \$115.50
Commercial Waste to transfer bin	Small trailer - each	\$37.00	\$35.00
Commercial Waste to transfer bin	Large trailer/ute/van - each	\$41.00	\$38.00
Commercial Waste to transfer bin	Ute/van with small trailer - each	\$74.00	\$69.00
Commercial Waste to transfer bin	Ute/van with large trailer - each	\$82.00	\$77.00
Commercial Waste to transfer bin	Plastic waste oil containers (empty) of any volume – per m3	\$30.00	\$29.00

Resolution

Moved Councillor Detenon, seconded Councillor Furnell that the recommendation be adopted.

CARRIED

6.2 OPERATIONS

6.3 PLANNING AND DEVELOPMENT

6.3.1 Development Application - Preliminary Approval for Material Change of Use (Variation Request for Development Rights with the Rural Zone)

Executive Summary

A Development Application has been received from BNC Planning on behalf of their client Mr. Patrick Cremin seeking approval for a Preliminary Approval for Material Change of Use (Variation Request for Development Rights in Accordance with the Rural Zone) at 12B Chippendale Street and Katelyn Drive, Ayr (Part Lot 34 on SP300371 and Part Lot 31 on SP305769).

The proposal is defined as a variation request and triggers impact assessment in accordance with the provisions of the *Burdekin Shire IPA Planning Scheme 2011*. As the application was for a variation request, it was required to be publicly notified for 30 business days.

Recommendation

That council approves the Development Application seeking a preliminary approval for a Material Change of Use (variation request for development rights with the Rural Zone), at 12B Chippendale Street and Katelyn Drive, Ayr (Part Lot 34 on SP300371 and Part Lot 31 on SP305769) subject to the following conditions:

- 1.1 This preliminary approval applies only to the area shown on "Proposed Residential/Rural Zoning Plan" Map Reference: 8157-14331.
- 1.2 The effect of the *Burdekin Shire IPA Planning Scheme 2011* is varied only to the extent that any subsequent Development Applications will be assessed against the applicable provisions of the Rural Zone on land described as 12B Chippendale Street and Katelyn Drive, Ayr (Part Lot 34 on SP300371 and Part Lot 31 on SP305769) as attached.
- 1.3 The variation request does not vary the effect of overlays or the category of assessment for building work and operational work in the *Burdekin Shire IPA Planning Scheme 2011*.
- 1.4 Grant Council an easement for drainage purposes over the existing open drain, on Lot 34 SP300371, that connects adjacent Chippendale Street Ayr, road drainage with drainage path on Lot 33 SP238851. The easement is to be fourteen (14) metres wide, seven (7) meters either side of the invert of the existing open drain. The easement is to be granted free of compensation and be prepared by Council's solicitor with all costs involved including easement survey cost, and preparation and registration of the easement document to be borne by Council. (as attached – Plan Number: M-1193-1 Revision A)

Resolution

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

CARRIED

11.10am Mr. Great left the meeting.

6.4 TECHNICAL SERVICES**7 NOTICE OF MOTION****8 RECEIPT OF PETITIONS****9 CORRESPONDENCE FOR INFORMATION****10 GENERAL BUSINESS****11 CLOSED BUSINESS ITEMS****12 DELEGATIONS**

There being no further business the meeting closed at 11.20am.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 14 July 2020.

MAYOR

