



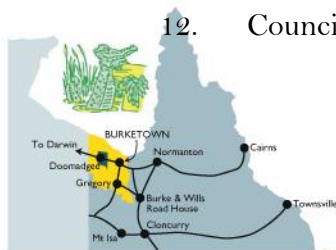
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*Confirmed Minutes*  
*Burke Shire Council Ordinary General Meeting*  
*Thursday 19<sup>th</sup> September 2013*  
*9.00am Council Chamber*

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01. Opening of Meeting

The Chair declared the Meeting open at 9.16am.

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02. Record of Attendance

Cr Ernie Camp, Mayor - Chair  
Cr Paul Poole, Deputy Mayor (as indicated)  
Cr Zachary Duff  
Cr Tonya Murray

John Page; Chief Executive Officer  
Philip Keirle; Deputy CEO  
Frederick Aqvillin; Chief Financial Officer  
Neil Klemola; Works Manager  
Brett Harris; Workshop Fleet Manager  
Madison Marshall; Trainee (Minutes)

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03. Prayer

Cr Murray led Council in Prayer.

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04. Consideration of applications for leave of absence

That Council grant leave of absence for Cr Forshaw.

Moved: Cr Duff  
Seconded: Cr Murray

Carried 01.130919 3/0

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05. Confirmation of Minutes of Previous Meeting(s)

05.01 General Meeting Thursday 15 August 2013

That the Minutes of the General Meeting of Council held on Thursday 15 August 2013 as presented be confirmed by Council.

Moved: Cr Murray  
Seconded: Cr Camp

Carried 02.130919 3/0

FILE: BCS/G/CM/Minutes

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06. Condolences

Council noted the passing of Cr Eddie Garde and Sandy Garde of Croydon and expressed their condolences to the Family.

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Attendance

Cr Poole entered the meeting at 9.40am.  
Brett Harris and Neil Klemola left the meeting at 9.46am.

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## 07. Deputy CEO Reports

### 07.01.01 Deputy CEO Update Report

That Council notes the contents of the Deputy CEO report incorporating the Works and Services Report, Workshop and Fleet Report, Chief Financial Officer Report and the Executive Officer Report.

Moved: Cr Duff  
Seconded: Cr Murray

Carried 03.130919 4/0

FILE NO: BCS/G/CM/R/DCEO

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## Adjournment

That Council adjourned the meeting from 10.30am to 10.55am for morning tea.

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### 07.05.02 Differential Ratings Categories – Petroleum Leases

That Council resolve:

- 1) To proceed with organising a Rating Summit over the course of the LGAQ Conference with other relevant shires; and
- 2) To determine who will participate in this summit.

Moved: Cr Poole  
Seconded: Cr Murray

Carried 04.130919 4/0

FILE NO: BCS/FM/R/L

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## 09. Late Item Reports

### 09.03 Membership – Gulf Savannah Development Inc

That Council:-

- (a) renew its membership of Gulf Savannah Development Inc for the 2013/2014 year;
- and
- (b) nominate Cr Ernie Camp for the position of Chairperson for the next 12 months.

Moved: Cr Duff  
Seconded: Cr Murray

Carried 05.130919 4/0

FILE NO: BCS/ED/A/GSD

*Content* – To seek Council's direction in relation to the membership of Gulf Savannah Development Inc for the next 12 months and seek Council nomination of Cr Ernie Camp for the position of Chairperson. Council has been a member of Gulf Savannah Development Inc for 2012/2013 and Cr Ernie Camp has been the Chairperson for the last 12 months.

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## 09.01 Operational Plan Report for June

That Council note the contents of the attachment and provide commentary or feedback as desired.

Moved: Cr Poole  
Seconded: Cr Murray

Carried 06.130919 4/0

FILE NO: BCS/CM/Plan/OP

*Content – The Operational Plan provides an account of Council's core business, the Departments and personnel responsible for delivering requirements under the plan, and the kinds of milestones and deliverables Councillors and residents can expect from the Council Executive. The Plan is updated annually and reviewed quarterly. This report represents the final quarterly report on the 2012-2013 Operational Plan. The majority of the items contained in the Operational Plan are permanent features on Council's agenda.*

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## 09.02 - Installation of Motorized Gate and Fence at Pensioners' Units

That Council consider the merits of installing a motorized gate and fence at the Pensioner Units in Burketown and resolves to:

- Proceed with the project in order that an RFQ may be circulated;

Moved: Cr Murray  
Seconded: Cr Duff

Carried 07.130919 4/0

FILE NO: BCS/CP/SP/SH/Unit7

*Content – This report considers the merits and proposed costs for the installation of motorized gates and a fence at the Burketown Pensioner Units. This report arises out of concerns expressed in relation to the entry of dogs and children into the Pensioners' Units on Musgrave Street, Burketown. Council's Housing Policy restricts residents from keeping pets at the Pensioners' Units. Council's Local Law No. 2 (Animal Management) places a responsibility on Council to respond to animal complaints. To my knowledge, the prospect of gating and fencing the Pensioners' Units as a means of addressing dog/child entry has not previously progressed to Council Report stage.*

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## 10. Consideration of Notice(s) of Motion and Petitions

### 10.01 Notices of Motion

### 10.02 Petitions

That Council notes that no Notices(s) of Motion and Petitions were received.

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## 11. Mayoral Minute and Report

That the verbal report provided by Councillor Camp be noted by Council; and

That Councillors have an informal meeting on the Wednesday before the October 2013 Council Meeting.

Moved: Cr Camp  
Seconded: Cr Murray

Carried 08.130919 4/0

Content-

- Attended the following meetings:
  - Block Party

- NW ROC and RRG Meeting – Hughenden
- Medicare Local meeting at Burketown
- Armour Energy
- Informal meeting with councillors and executive staff to discuss various matters and general catch up
- Teleconference with Councillors to discuss emerging issues
- Reps from Qld Fire and Rescue Service and LGAQ – re emergency management, fire and rescue levy
- Ergon Energy – general discussions with reps regarding revised structure
- Dept of Environment and Heritage Protection – general discussions and willing to work with Council where possible
- Attended the following functions:
  - Burketown Arts and Craft Show
  - Angel Flight Fundraising BBQ
  - Presented awards to Burketown State School students who participated in the Arts and Craft Show.

Spent day in at council offices attending to general queries and meeting with staff as required

GSD - AGM next week in Cairns

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## 12. Councillor Reports

That the verbal reports provided by Councillors Duff, Murray and Poole be noted by Council.

Moved: Cr Poole  
Seconded: Cr Duff

Carried 09.130919 4/0

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## 13. New business of an urgent nature admitted by Council

### 13.01 Correspondence to Deputy Director of TMR, Mr Peter Trim

That Council write a letter to the Deputy Director of TMR North West Division Mr Peter Trim voicing concerns in particular MR78A & MR6801.

Moved: Cr Camp  
Seconded: Cr Duff

Carried 10.130919 4/0

FILE NO: BCS/CM/SGC/DTMR

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## Adjournment

That Council adjourned the meeting from 12.35pm to 1.20pm for lunch.

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## 14. Closed session reports

That Council move into closed session to discuss confidential items as stated in the *Local Government (Operations) Regulation 2010* in Chapter 5 Administration, Part 2 Local government meetings and committees, under *Sections 72 (1) (c and g)*.

Council moved into closed session at 1.20pm

Moved: Cr Murray  
Seconded: Cr Camp

Carried 11.130919 4/0

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### Declaration: Material Personal Interest

Cr Poole declared a material personal interest (as per section 172 of the Local Government Act 2009) in report 14.01 and left the meeting from 2.00pm to 2.12pm

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### Move into Open Session

That the meeting resume in open session to consider recommendations arising out of the closed session.

Council resumed open session at 2.12pm.

Moved: Cr Camp  
Seconded: Cr Poole

Carried 12.130919 4/0

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### Attendance

Cr Poole left the meeting at 2.13pm.

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### 14.01 Closed Session – MCU Application

That the Council:

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with Local Government Regulation 2012, Chapter 8 Administration, Part 2 Local Government meetings and committees, under Sections 275 Closed meetings and that the document remain confidential unless council decides otherwise by resolution; and
2. Grant a siting dispensation for the new cabins that intrude into the front, side and rear boundary setbacks of the site, on the basis that the proposed layout will not detrimentally impact on the visual amenity of the streetscape and the proposed orientation of the cabins provides for improved guest privacy and amenity. Proposed cabin 15, as shown on the approved Site Layout Plan, is to be realigned clear of the side boundary by a minimum distance of 1 metre.
3. In accordance with the Sustainable Planning Act 2009 as amended, the applicant be notified that the application for a Development Permit for Material Change of Use for the expansion of an existing Tourist Facility, located on the corner of Beames Street and Bowen Street, Burketown, being Lot 203 RP884171 and Lot 203 on B 1361, is approved subject to the conditions detailed below.

#### **A. ASSESSMENT MANAGER CONDITIONS (COUNCIL)**

##### **General**

1. The development shall be undertaken substantially in accordance with the submitted Site Plans, except as modified by this approval.
2. Any future building work on the site shall be carried out generally in accordance with any relevant Council's requirements and to the satisfaction of the Chief Executive Officer.
3. This development approval lapses four (4) years after the day that the development approval takes effect, unless extended under the Sustainable Planning Act 2009.

### **Site Amalgamation**

4. As the Tourist Facility is intended to operate as an integrated development, the site is required to be amalgamated prior to the issue of a Building Permit for the erection of any of the Cabins numbered 9 to 15, as shown on the submitted Site Layout Plan. Proof of registration of the new Plan of Survey is to be submitted to the Council, prior to that stage of the development proceeding.

### **Urban Services**

5. Any re-profiling of the site to accommodate new buildings shall ensure stormwater and runoff from the site is drained to a lawful point of discharge. Site drainage must not concentrate flow/s on any abutting properties or the roadway, nor create ground erosion problems on abutting properties or the roadway, to the satisfaction of the Chief Executive Officer.
6. Each stage of the development is to be connected to the reticulated sewerage system and water service infrastructure and/or meet the cost of any alterations to public utility mains, existing mains, services or installations and external road works required in connection with the approved development, to the satisfaction of the Chief Executive Officer.

The provision, expansion and maintenance of any on site sewerage pumps and septic systems, existing or proposed, that discharge into Council's conventional sewerage infrastructure are the responsibility of the applicant/operator of the facility and must be regularly maintained to ensure efficient functioning of the system, including any necessary holding capacity required on site, to the satisfaction of the Chief Executive Officer.

7. The existing sewer line in the vicinity of the proposed new kitchen, restaurant and managers unit is to be relocated clear of new buildings or is to be protected from building foundations to the satisfaction of the Chief Executive Officer.
8. Should any of the Council's assets be damaged during the construction of any new buildings or infrastructure, or associated works the cost of the reinstatement of all such assets shall be met by the applicant/proponent and to the satisfaction of the Chief Executive Officer.

### **Maintenance of the Site**

9. The applicant shall ensure the site is maintained in a clean and tidy condition at all times to the satisfaction of the Chief Executive Officer.

### **Access and Car Parking**

10. Car parking is to be rationalized and provided on site, as follows:
  - Cabins 1 and 2 are to be provided with access to one (1) car parking space each – line marked or designated by coppers logs adjacent to the cabins;
  - Cabins 3, 4 and 5 are to be provided with access to one (1) car parking space each – line marked or designated by coppers logs adjacent to the cabins;
  - Cabins 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 are to be provided with access to one adjacent(1) car parking space each – line marked or designated by coppers logs;
  - Three (3) on site car parking for the manager and two (2) staff is to be provided and designated adjacent to the storage shed.

The car parking is required to be line marked/designated by coppers logs on site in accordance with the staging of the development and prior to the commencement of the use of each stage, to the satisfaction of the Chief Executive Officer.



In relation to designated car parking for existing Cabins 1, 2 3, 4 and 5 – this car parking is to be provided in association with the first stage of the re-development. In relation to designated car parking for existing Cabins 6, 7 and 8, this car parking is to be provided in association with the staging of any new cabins on Lot 204, all to the satisfaction of the Chief Executive Officer.

### **On- Street Works**

11. The three access driveways to the site, one (1) in Beames Street and two (2) in Bowen Street and all the designated car parking areas, are required to be graded and profiled to be free-draining and constructed of gravel to a depth of 100mm, to aid dust suppression. The existing accesses, one (1) in Beames Street and one (1) in Bowen Street are to be upgraded in association with the first stage of the re-development.

A sealed crossover and apron to the bitumen seal is to be provided to the site boundary for the driveway accessing the ten (10) Cabins to and from Bowen Street, at the time this stage is developed. All on-street and onsite works are to be to the satisfactions of the Chief Executive Officer.

### **Scale and Operation of the Development**

12. All proposed future stages of the development require a Building Permit and Plumbing and Drainage Permits. In particular, the development of the proposed Manager's Unit is approved under this approval and can be constructed on site, following the issue of a Building Permit and Plumbing and Drainage Permits, provided it is designed to comply with the following requirements and be to the satisfaction of the Chief Executive Officer:

- Maximum building height of 8.5 metres;
- Maximum floor area of 200m<sup>2</sup> including any deck, whether covered or not;
- Maximum number of two (2) bedrooms; and
- Setback of a minimum of 2 metres to the side boundary, measured to the outer most projection of the building.

Should the design of the Manager's Unit not comply in full with the requirements above, a Material Change of Use Application, Code assessable will be required to be lodged and assessed by Council.

### **On Site Activities**

13. The office to be occupied by Savannah Air is only to be used by a business related to the operation of the Tourist Facility function of Savannah Lodge. The office is not permitted to be let or used by an unrelated commercial entity.
14. The restaurant within the Tourist Facility has a maximum floor area of 130m<sup>2</sup>, excluding the kitchen and back of house and the informal dining deck. The restaurant is to be used, primarily, by in-house guests of the facility. Any outside use, by members of the travelling public or by locals, is required to be secondary to the primary use.
15. The new kitchen is required to be of commercial quality and registered by Council's Environmental Health Unit prior to lawful commencement of its use.

### **Signage**

16. Any new signage associated with any stage of the development is required to comply with the Advertising Devices Code in the Planning Scheme.

Moved: Cr Camp  
Seconded: Cr Duff

Carried 13.130919 3/0

FILE NO: DA/2013/2013-03

## Attendance

Cr Poole entered the meeting at 2.15pm.

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### 15. Deputations and presentation scheduled for meeting

That Council notes that no Deputations and presentations were scheduled for this meeting.

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### 13. New business of an urgent nature admitted by Council

#### 13.02 Community Hub

That Council direct Elevation Architecture to complete full structural designs for the Community Hub building; and

That Council accept the quotation of iGPM in the sum of \$51,780.00 excluding GST for the provision of Project Management Consultancy Services for the Burketown Community Hub.

Moved: Cr Poole  
Seconded: Cr Murray

Carried 14.130919

4/0

FILE NO: BCS/CP/SP/SB/BCH

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### 16. Closure of Meeting

The Chair declared the Meeting closed at 2.45pm.

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I hereby certify that these pages numbered 1 to 10 - constitute the  
Confirmed Ordinary Meeting minutes of the Council Meeting of Burke Shire  
Council held on Thursday 19<sup>th</sup> September 2013.

Mayor Cr Ernie Camp .....