



BURDEKIN SHIRE COUNCIL



AGENDA

ORDINARY COUNCIL MEETING

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

on 26 June 2012

COMMENCING AT 9:00AM



TUESDAY 26 JUNE 2012

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1 PRAYER

2 DECLARATIONS OF INTEREST

3 MINUTES AND BUSINESS ARISING

3.1 Ordinary Council Meeting Minutes - 5 June 2012

Recommendation

That the minutes of the ordinary Council Meeting held on 5 June 2012 be received as a true and correct record.



BURDEKIN SHIRE COUNCIL



MINUTES

ORDINARY COUNCIL MEETING

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

on 05 June 2012

COMMENCING AT 9:00AM



BURDEKIN SHIRE COUNCIL



TUESDAY 5 JUNE 2012

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Ordinary Council Meeting 05 June 2012



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ATTENDANCE

Councillors W.C. Lowis (Mayor), R.H. Lewis (Deputy Mayor), L.D. McCathie, L. Loizou, U.E. Liessmann and E.J. Bawden

Mr. K. Holt - Chief Executive Officer
Mr. D.P. Mulcahy - Director Corporate and Community Services
Mr. T.G. Williams - Director Environment and Operations
Mr. S. Great - Manager Planning and Development
Miss T. Jensen - Manager Environment and Health
Mr. W. Saldumbide - Manager Operations
Mr. K. Byers - Manager Technical Services

Minutes Clerk – Mrs. Vicki Walker

Apologies: Councillor P.M. Dalle Cort

1 PRAYER

The meeting prayer was delivered by Councillor Loizou.

2 DECLARATIONS OF INTEREST

The Mayor called for declarations of interest.

- Councillor McCathie declared a material personal interest in respect of the following agenda items:
5.1 – the business is listed for sale with McCathie's Real Estate of which she is an owner.
5.2 – McCathie's Real Estate has a contract on the property which is the subject of the development application.
- Councillor Lewis declared a material personal interest in respect of agenda item 6.3 as he is a partner in BQC Quarries, a tenderer for the Supply & Delivery of Stone Products.

3 MINUTES AND BUSINESS ARISING

3.1 Ordinary Council Meeting Minutes - 22 May 2012

Recommendation

That the minutes of the Ordinary Council Meeting held on 22 May 2012 be received as a true and correct record.

Resolution

Moved Councillor Loizou, seconded Councillor Lewis that the recommendation be adopted.

CARRIED

Business Arising

10.1 Councillor McCathie advised that she would now not be attending the 2012 Australian Local Government Women's Association Qld Branch Conference in Cairns from 25 to 27 July, 2012.

3.2 Budget Workshop Minutes - 29 May 2012

Recommendation

That the minutes of the Budget Workshop held on 29 May 2012 be received as a true and correct record.

Resolution

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

CARRIED

3.3 Burdekin Cultural Complex Board Inc Minutes. - 20 February 2012

Recommendation

That the minutes of the Burdekin Cultural Complex Board Inc. General Meeting held on 20 February 2012 be received and adopted.

Resolution

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

CARRIED

3.4 Burdekin Building Safer Communities Action Team Minutes - 14th March, 2012

Recommendation

That the minutes of the Burdekin Building Safer Communities Action Team Meeting held on 14th March, 2012 be received and adopted.

Resolution

Moved Councillor McCathie, seconded Councillor Loizou that the recommendation be adopted.

CARRIED

3.5 Burdekin Shire Youth Council Minutes - 26th March 2012

Recommendation

That the minutes of the Burdekin Shire Youth Council Meeting held on 26th March 2012 be received and adopted.

Resolution

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

CARRIED

3.6 Burdekin Shire Youth Council Minutes - 23rd April 2012

Recommendation

That the minutes of the Burdekin Shire Youth Council Meeting held on 23rd April 2012 be received and adopted.

Resolution

Moved Councillor Loizou, seconded Councillor McCathie that the recommendation be adopted.

CARRIED

3.7 Burdekin Building Safer Communities Action Team Minutes - 9th May 2012

Recommendation

That the minutes of the Burdekin Building Safer Communities Action Team Meeting held on 9th May 2012 be received and adopted.

Resolution

Moved Councillor Lewis, seconded Councillor McCathie that the recommendation be adopted.

CARRIED

Note: It was noted that Councillor McCathie attended this meeting, but at the time she was not Burdekin Shire Council's official representative.

3.8 Burdekin Road Safety Advisory Committee Meeting Minutes - 23 May 2012

Recommendation

That the minutes of the Burdekin Road Safety Advisory Committee Meeting held on 23 May 2012 be received and adopted.

Resolution

Moved Councillor Lewis, seconded Councillor Loizou that the recommendation be adopted.

CARRIED

Business Arising

Moved Councillor Loizou, seconded Councillor Liessmann that Council writes to the Department of Transport and Main Roads requesting upgrading works be scheduled for the following sections of the Bruce Highway:

Eighth Avenue – between Sixth Street and First Street

Seventh Avenue – from the open level crossing to Kidby Gully

CARRIED

4 REPORTS

5 ENVIRONMENT & OPERATIONS

5.1 Colleen Goodwill - Development Application for Material Change of Use for Home Occupation (Pet Grooming) at 45 Beach Road, Ayr (Lot 14 on RP736885 Parish of Antill, County of Gladstone)

Councillor McCathie declared a material personal interest in respect of agenda items:

5.1 – the business is listed for sale with McCathie's Real Estate of which she is an owner;

5.2 – McCathie's Real Estate has a contract on the property which is the subject of the development application;

and left the meeting.

Executive Summary

An application has been received from Colleen Goodwill, seeking approval for a Home Occupation – Pet Grooming at 45 Beach Road, Ayr (Lot 14 on RP736885 Parish of Antill, 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 Home Occupation – Pet Grooming at 45 Beach Road, Ayr (Lot 14 on RP736885 Parish of Antill, 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 The Home Occupation can only be operated strictly in accordance with the supporting material and approved plans submitted with the application and can only be conducted by a person resident therein.
- 1.3 No source of power other than one or more single phase electric motors having a total connected load of not more than 2.2 kilowatts is used.
- 1.4 The floor area used (whether temporarily or permanently) does not exceed more than one-third of the total floor area of the dwelling house, except with and in accordance with the conditions of an express permission of the Council.
- 1.5 No load is imposed on any local utility greater than that which is normally required by other uses permitted in the zone in which the dwelling house is situated.
- 1.6 No machinery or apparatus causing interference with reception of radio or television signals is used or operated.
- 1.7 There is no public display of goods on the premises.
- 1.8 Only one sign with a maximum face area of 0.5 m² and bearing only the name of the person carrying out the business and the type of business is to be provided on the premises.
- 1.9 The activity does not cause any injury to or have a prejudicial effect on the amenity of the locality in which it is carried out due to the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, waste products, or anything whatsoever.
- 1.10 The approved use shall be undertaken so that no undue disturbance is caused to neighbouring properties by virtue of noise, bright lights, traffic movements or interference with radio and television reception.

BUILDING WORK

2. A development permit for Building Works is to be obtained before any building works are carried out on the premise.

EXTERNAL WORKS

3. 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

4. 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.

ENVIRONMENTAL AND HEALTH

- 5.1 There must be no release of waste water from the activity to any land, stormwater or roadside gutters from the activity except to sewer in accordance with Burdekin Shire Council's Trade Waste Policy.
- 5.2 No overnight boarding of dogs is permitted as part of the approval for the home occupation.
- 5.3 The activity must not cause a nuisance as a result of animal noise or from the release of odours or contaminants.

Advice only

- The footpath between the kerb and property boundary is to be kept clear of parked vehicles.

Resolution

Moved Councillor Loizou, seconded Councillor Lewis that the recommendation be adopted.

CARRIED

5.2 K Zabel - Development Application for Reconfiguring a Lot at 25 Cornford Crescent, Ayr (Lot 29 on SP226261 Parish of Antill, County of Gladstone)

Executive Summary

An application has been received from Brazier Motti on behalf of their client K Zabel seeking approval for Reconfiguring a Lot (Subdivision) at 25 Cornford Crescent, Ayr (Lot 29 on SP226261 Parish of Antill, County of Gladstone). A Development Application (Code

Assessable) has been triggered in accordance with the Burdekin Shire IPA Planning Scheme.

Recommendation

That Council approves the Development Application for Reconfiguring a Lot (Subdivision) at 25 Cornford Crescent, Ayr (Lot 29 on SP226261 Parish of Antill, County of Gladstone) subject to the following conditions:

GENERAL

- 1.1 The Council will not release the formal Plan of Reconfiguration until all rates and charges in arrears in respect of the land, the subject of the application, are paid in full.
- 1.2 Pay the sum of \$59.60 calculated on the basis of a charge of \$29.80 per lot to be levied on the Council by the Department of Environment & Resource Management for each new valuation.

PROPOSAL PLAN

2. The reconfiguration of the land must be carried out generally in accordance with:-
 - (a) (i) the proposed Brazier Motti plans numbered 55726/001A,
 - (ii) the plans, specifications, facts and circumstances as set out in the application submitted to Council;Except where modified by the conditions of approval and any approval issued there under; and
 - (b) any approval issued under this approval; and
 - (c) any development permit for operational works relating to the reconfiguring of a lot;

DRAINAGE

3. 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.

ROADWORKS

4. 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.

OPERATIONAL WORKS

5. Where operational works are required to be carried out for the reconfiguration, 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.

PUBLIC UTILITY SERVICES

6. 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.

ELECTRICITY SUPPLY AND STREET LIGHTING

7. The developer must prior to release of formal Plan of Survey submit a letter from Ergon Energy (or other suitable entity) stating that satisfactory arrangements have been made with it for the provision of an electricity supply to the subdivision.

WATER SUPPLY WORKS INTERNAL

- 8.1 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. Each of the proposed lots shall have separate water services.
- 8.2 Any connection or upgrades to Council's existing water infrastructure required by the development shall be carried out by the Council at the developer's full cost.
- 8.3 The applicant must provide a certified statement from a licensed plumber that no existing interconnecting water supply plumbing crosses the boundaries between the proposed lots.

WATER SUPPLY HEADWORKS

9. The developer must contribute in accordance with Council's Planning Scheme Policy for Infrastructure Provision - Developer Contribution for Provision of Water supply is payable, the contribution must be paid at the rate current at the time of payment.

ADVICE (Note: These are not conditions)

- *Unless otherwise specified by these conditions, the conditions must be complied with prior to approval of the Plan of Survey*
- *It should be noted that occupants of any future proposed dwelling on the subject lots, may be subject to noise from existing nearby industrial use. The order of occupancy of the use will be considered in any assessment of environmental nuisance should any complaint of environmental nuisance be made in the future.*

Resolution

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

CARRIED

Councillor McCathie returned to the meeting.

5.3 TFS Properties Limited - Development Application for Material Change of Use to establish a Sandalwood Industry (Forestry) at 6898 & 6884 Ayr Dalbeg Road, Millaroo (Lots 120 & 122 on GS453, Parish of Millaroo, County of Gladstone)

Executive Summary

An application has been received from Groves & Clark Solicitors on behalf of their client TFS Properties Limited seeking approval for a Material Change of Use to establish a Sandalwood Industry (forestry) at 6898 & 6884 Ayr Dalbeg Road, Millaroo (Lots 120 & 122 on GS453 Parish of Millaroo, County of Gladstone). A Development Application (Code Assessable) has been triggered in accordance with the Burdekin Shire IPA Planning Scheme.

Recommendation

That Council approves the Development Application for a Material Change of Use to establish a Sandalwood Industry at 6898 & 6884 Ayr Dalbeg Road, Millaroo (Lots 120 & 122 on GS453, Parish of Millaroo, County of Gladstone) subject to the following conditions:

GENERAL

- 1.1 The conditions of the development permit must be achieved prior to the commencement of the use, except where specified otherwise in these conditions of approval.
- 1.2 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.
- 1.3 Harvesting of the sandalwood trees are to be conducted in an ecologically sustainable manner to ensure that no adverse environmental impacts arise.

ROADWORKS

2. 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.

DRAINAGE

3. 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.

BUILDING WORK

4. A development permit for Building Works is to be obtained before any building works are carried out on the premise.

EXTERNAL WORKS

5. 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.

ADVICE (Note: These are not conditions)

- Any burning on site of crop or waste material is done in accordance with a permit from Queensland Fire & Rescue Service (QFRS).

Resolution

Moved Councillor Loizou, seconded Councillor Lewis that the recommendation be adopted.

CARRIED

5.4 Lot 27 on AP2092 - Plantation Creek, Jarvisfield (Parish of Morrill, County of Gladstone) Surrender and Reissue of Permit to Occupy over land

Executive Summary

A request has been received from A McGilvary, seeking Council's views in respect of the surrender and reissue of Permit to Occupy over land described as Lot 27 on AP2092 Plantation Creek, Jarvisfield (Parish of Morrill, County of Gladstone), in accordance with the Departments requirements.

Recommendation

That Council offers no objection to the request from A McGilvary for the surrender and reissue of Permit to Occupy over land described as Lot 27 on AP2092 Plantation Creek, Jarvisfield (Parish of Morrill, County of Gladstone).

Resolution

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

CARRIED

6 CORPORATE & COMMUNITY SERVICES

6.1 Flexible Funding Program - Proposed Projects

Executive Summary

Burdekin Shire Council has been allocated \$150,000 over two years under the Flexible Funding Program. These funds will be used for community-led projects that help local communities recover from the impacts of the recent flood and cyclone disasters and build their preparedness to respond to, manage and recover from future natural disasters.

Council endorsement of the projects proposed to acquit these funds is now required.

Recommendation

Council endorses the use of the Flexible Funding Program allocation in the manner proposed.

Disaster Survival for Kids Competition	<p>Two aged-based categories (primary / upper secondary).</p> <p><u>Primary</u></p> <ul style="list-style-type: none">• what to do when preparing for a disaster / during a disaster <p><u>Secondary</u></p> <ul style="list-style-type: none">• submit recipes using pantry contents that can be prepared when there is no power (could include BBQ-cooked recipes)• what to do when preparing for a disaster / during a disaster <p>Top submissions will be published in a guide, which will be distributed to all school-aged children in the Shire</p>
Disaster Info Packs and support for Local Festivals	<p>Participation in the Burdekin Water Festival (held in September) & Home Hill Harvest Festival (held in November)</p> <p>At each festival there will be a stall providing disaster preparedness information packs. Packs could include brochures, info magnets, wind-up torches, emergency kit drink coolers, Disaster Survival for Kids Guide in a "green bag"</p>

Disaster Coordination Support Officer	Part-time contract position (12 months) <ul style="list-style-type: none"> • Coordinate preparation of disaster information packs • Work at festival stalls • Coordinate Disaster Survival for Kids competition • Coordinate promotion of disaster preparedness information / activities • Update disaster management information on Council web site • Support Local Disaster Coordinator
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Resolution

Moved Councillor Lewis, seconded Councillor Loizou that the recommendation be adopted with the inclusion of the wording "or interested community organisation" following the wording "Part-time contract position (12 months)" (in reference to the Disaster Coordination Support Officer).

CARRIED

6.2 Burdekin Tourism Association request for financial assistance for 2012-2013

Executive Summary

The Burdekin Tourism Association has written to Council requesting financial assistance for 2012/13.

Recommendation

Council approves funding of \$10,000.00 (exc. GST) to the Burdekin Tourism Association for 2012/13.

Resolution

Moved Councillor Lewis, seconded Councillor McCathie that the recommendation be adopted.

CARRIED

6.3 Annual Tenders for Period 1 July 2012 to 30 June 2013

Councillor Lewis declared a material personal interest in respect of agenda item 6.3 as he is a partner in BQC Quarries, a tenderer for the Supply & Delivery of Stone Products, and left the meeting.

Executive Summary

Annual Tenders as listed below were called in the Ayr Advocate and Townsville Bulletin on Friday 23rd and Saturday 24th March, 2012 respectively.

Recommendation

That Council accepts tenders as follows:

- (1) TBSC/12/04 – Supply & Delivery of Bitumen, Bitumen Emulsion, Premix & Asphalt Products – 2012/2013

It is recommended that Council accepts the tenders from Fulton Hogan, Road Maintenance Service Pty Ltd and Rock n Road Bitumen Pty Ltd with authorised Requisitioning Officers to choose the most advantageous supplier for the relevant product on a job by job basis using the Tender Schedule of Rates.

- (2) TBSC/12/05 – Supply & Delivery of Stone Products – 2012/2013

It is recommended that Council accepts the tender from BQC Quarries based on previous supply history and BQC Quarries being the sole submission received.

Resolution

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

CARRIED

Councillor Lewis returned to the meeting.

7 CORRESPONDENCE FOR INFORMATION

7.1 Council to express concern at lack of Queensland Transport Licensing Services provided at Ayr Police Station

Resolution

Moved Councillor Loizou, seconded Councillor Liessmann that Council corresponds with the Minister for Transport and Main Roads expressing concern at the lack of service provided at the Ayr Police Station with regard to Queensland Transport licensing operations, and highlighting the difficulties this causes for the community. (Letter No. 1171225)

CARRIED

7.2 Correspondence to be forwarded advising that Burdekin Shire Council would welcome opportunity to meet with Senator Barnaby Joyce

Resolution

Moved Councillor Lewis, seconded Councillor McCathie that Council corresponds with Senator Barnaby Joyce advising of the Shire's newly elected Mayor, Councillor Lowis, and advising that he and the new council would welcome the opportunity to meet with the Senator at a suitable time. (Letter No. 1169722)

CARRIED

8 NOTICES OF MOTION

9 URGENT BUSINESS

10 GENERAL BUSINESS

10.1 Councillor Lewis appointed as Council's representative on North Queensland Sports Foundation

Resolution

Moved Councillor Loizou, seconded Councillor McCathie that Councillor Lewis be appointed as Council's representative on the North Queensland Sports Foundation.

CARRIED

10.2 Councillor Lowis appointed to Burdekin Shire Rivers Improvement Trust

Resolution

Moved Councillor Lewis, seconded Councillor Loizou that the Mayor, Councillor Lowis be appointed to the Burdekin Shire Rivers Improvement Trust.

CARRIED

10.3 Council names un-named Road off Old Clare Road "Claussen Lane"

Resolution

Moved Councillor Lewis, seconded Councillor McCathie that the un-named road off Old Clare Road between Lot 114 GS479 and Lot 127 GS1019, Parish of Jarvisfield, County of Gladstone be officially named "Claussen Lane".

CARRIED

10.4 Councillor Loizou granted Leave of Absence

Resolution

Moved Councillor Lewis, seconded Councillor Bawden that Councillor Loizou be granted leave of absence from 25 June to 29 June 2012 to attend the Irrigation Australia Conference in Adelaide.

CARRIED

10.5 Councillor Lewis granted Leave of Absence

Resolution

Moved Councillor Liessmann, seconded Councillor Bawden that Councillor Lewis be granted leave of absence from 14 August to 25 September, 2012.

CARRIED

11 IN COMMITTEE DISCUSSIONS

Council meets In Committee under Section 72 of Local Government (Operations) Regulation 2010

Resolution

Moved Councillor Lewis, seconded Councillor Loizou that the Council meets in committee under the following sections of the Local Government (Operations) Regulation 2010:

72(1)(c) the Council's budget.

CARRIED

Councillor Lewis left the meeting during in committee discussions.

Ordinary Meeting of Council Resumed

Resolution

Moved Councillor Loizou, seconded Councillor Liessmann that the ordinary meeting of Council be resumed.

CARRIED

11.1 Council approves upgrade to 2 Bedroom Demountable for Caretaker's Accommodation at Ayr Showgrounds

Resolution

Moved Councillor McCathie, seconded Councillor Loizou that Council approves the upgrade from a 1 bedroom to a 2 bedroom demountable for the Caretaker's accommodation at the Ayr Showgrounds at an estimated cost of \$16,709 (inc GST) subject to the Ayr Pastoral Agricultural & Industrial Association Inc. contributing 50% of the cost of the upgrade.

CARRIED

12 DELEGATIONS

10.15 am – Introduction of 2012 Youth Council Executive - Lexi Haselton (Youth Mayor), Emma Trueman (Deputy Youth Mayor), Maigen Edwards (Secretary)

There being no further business the meeting closed at 5.05 p.m.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 26 June 2012.

MAYOR

3.2 Burdekin Be Active Advisory Committee Meeting Minutes - 7 March 2012

Recommendation

That the minutes of the Burdekin Be Active Advisory Committee Meeting held on 7 March 2012 be received and adopted.

Minutes of Meeting
Burdekin Be Active Advisory Committee
Meeting held on 7th March 2012

Held in the John Hy Peake Heritage Rooms at the Burdekin Shire Council
The meeting commenced at 3.30pm

CLAUSE 1 ATTENDANCE

ATTENDANCE

Cr Lyn McLaughlin	Mayor, BSC
Tammy Quagliata	Economic & Community Development Support Officer, BSC
Marsha Cody	Economic & Community Development Support Officer, BSC
Bryan Dudley	Ayr State School
Jo Coe	Ayr State School
Charles Ford	Burdekin Men's Shed Association Inc.
Natalie Saroglia	Burdekin Neighbourhood Centre
Marilyn Hutley	Burdekin Neighbourhood Centre
S/C Andrew Sherrington	Burdekin PCYC
Sue Collier	BCA
Barbara Wilson	BCA
Fay Raistrick	BCA
Kathy Hansen	HPC
Tony Felesina	Burdekin Road Runners & Walkers
Tarja Martin	Senior Health Promotion Officer, Qld Health

By Phone:

Bindie Johnston Qld Health, TPHU

APOLOGIES

Tony Vaccaro	Economic & Community Development Manager, BSC
Cassandra Arboit	School based health nurse, Ayr State High School
Leah George	School based health nurse, Home Hill State High School

Acronyms

BSC	Burdekin Shire Council
BCA	Burdekin Centre for Rural Health
S/C	Senior Constable
HPC	Health Promotion Connections
TPHU	Townsville Public Health Unit

CLAUSE 2 CONFIRMATION OF PREVIOUS MINUTES

- Moved Natalie Saroglia, seconded Bindie Johnston that the minutes of the Burdekin Be Active Advisory Committee held on 7th December 2011, be received as a true and correct record.

CARRIED

CLAUSE 3 INTRODUCTION TO BURDEKIN BE ACTIVE ADVISORY COMMITTEE

- Cr Lyn McLaughlin welcomed all new members, as well as existing members of the Burdekin Be Active Advisory Committee; and gave a brief overview of the roles and responsibilities of the committee.
-

CLAUSE 4 CORRESPONDENCE TABLED

Inward Correspondence

Bindee Johnston Senior Health Promotion Officer Townsville Public Health Unit	Latest Healthy Communities/Physical Activity update – highlighted areas may be of interest 1,2,3 Safe Home Flip Chart
Bryan Dudley Principle Ayr State Primary School	Invitation acceptance to address next Burdekin Be Active Advisory Committee meeting RE: Equipped Program Initiative
Gillian Myers Senior Advisor Healthy Communities Local Government Association of Qld (LGAQ)	Healthy Community funding available
rideQ	Feb/Mar 2012
S/C Andrew Sherrington Relief Branch Manager Burdekin PCYC	Establishment of bicycle sign circuit
Tarja Martin Senior Health Promotion Officer Institute of Rural Health	2012 Aboriginal and Torres Strait Islander Cultural Events calendar Tai Chi instructors
Nikita Burns Play Consultant Urban Play	Megatory Fitness & Kompan X-ercise equipment
Bike Week 2012	10-18 March 2012
Scott Whiffin Ride2School Program Director	National ride2school week on Friday 23 March 2012

Outward correspondence

Charles Ford President Burdekin Men's Shed Association Inc	Invitation to join Burdekin Be Active Advisory Committee
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CLAUSE 5 MATTERS ARISING FROM CORRESPONDENCE

Bicycle Signage

S/C Andrew Sherrington advised that a meeting was held at the PCYC to establish interest for a cycling club and approximately fifty people had expressed their interest. At this meeting it was suggested that signage be erected to recognise designated bike routes along the following four circuit locations: 1. Clare/Dalbeg (inclusive of Old Clare Road); 2. Mt Kelly; 3. (Alva) Beach Road; 4. Home Hill.

Tony Vaccaro to liaise with S/C Andrew Sherrington and Tony Felisina with regards to the proposed signage. It was suggested that a letter be sent to the Department of Main Roads to advise of specific details and obtain permission to erect signage. Once permission is granted, the advisory committee can recommend to Council that signage be installed.

Bike Safety of School Students

Bryan Dudley advised that Mundingburra School has a temporary bicycle circuit for students. This circuit encourages physical activity and educates bicycle road safety via the signage navigation.

It was suggested that a similar circuit be implemented in the Burdekin to educate bike safety to school students. This circuit could be placed at the old soccer grounds, which is in close proximity to the PCYC, skate ramps and Anzac park.

Bryan Dudley undertook to obtain further information about the Mundingburra School circuit.

CLAUSE 6 GENERAL BUSINESS

Active Parks/'Come n' Try'

It was agreed that the Active Parks concept needed to be changed a little this year, due to decreasing participation in 2011.

Discussions were held in relation to incorporating the Active Parks/'Come n' Try' in 2012 with Council's Queensland Week Fun Day to be held on Sunday June 3rd. The fun day would include free rides and family entertainment which would attract families etc. to the event.

It was suggested that a 'Come n' Try' style event could be held in conjunction with the family fun day, with children and adults able to take part in a variety of activities on the day. It was then suggested that a regular 6 week program of activities could follow the family fun day. The 'Come n' Try' activities could be held at the PCYC, both inside and outside the building.

It was agreed to have less weekly activities and have one specified activity on one day eg. Zumba at 4pm on a specified day for 6 weeks.

It was mentioned that Kathy Hansen can use this initiative as a launch pad for relevant health promotional events.

It was also suggested that the event name be changed.

Moving forward, a subcommittee was formed for this event. The following are the current members:

- Cr Lyn McLaughlin
- Tony Vaccaro
- Marsha Cody
- Kathy Hansen
- Bindee Johnston

Marsha Cody undertook to liaise with members to set a date/time for the subcommittee meeting.

10,000 Steps: Bollards & Fingerboards

Marsha Cody presented a draft bollard design and an illustration of a fingerboard to the committee. Marsha Cody explained that one bollard would be placed at the start/end of each trail in Ayr, Home Hill, Giru and Clare; and that the fingerboards would be utilised around each walking path, on the relevant street (pole), as indicators of direction.

The committee approved the bollard and fingerboard design and rational and agreed to proceed with these projects.

Funding in 2013

Bindee Johnston requested ideas for funding initiatives in 2013. Examples suggested were Bike Week 2013, infrastructure for the 10,000 steps walking paths and a Burdekin Ministry of Food/Community Kitchen project.

Marsha Cody and Tony Vaccaro to formulate a list of ideas and forward to Bindee.

Bike Training Area

It was noted to add next years' Bike Week to the committee calendar to liaise with the PCYC to consider the 'Swap It Don't Stop It' funding program.

10,000 Steps: Walking Path Seating

Barbara Wilson suggested that seating be provided for the elderly along the walking paths. Marsha Cody to liaise with Council's Parks and Gardens supervisor regarding possible placement and suitable seating. It was agreed that this item be added to the proposed funding list for 2013.

CLAUSE 7 OTHER GENERAL BUSINESS

Healthy Lifestyle Promotions

Natalie Saroglia presented the Healthy Place & Spaces and Heart Foundation marketing collateral. The Heart Foundation currently has a walking group initiative to promote fun and fitness; the Burdekin has a walking group and interested parties can register through the Neighbourhood Centre.

10,000 Steps: Walking Path Awareness

Barbara Wilson suggested that the group needed to increase awareness of the regions walking paths. Discussions suggested the following marketing activities:

- Be Active flyer to all households of walking paths, activities etc
- Article in 'Round-a-bout'
- Community noticeboard on TV – it is free advertising
- Community announcement on SweetFM
- Ongoing publicity in the community

Health Promotion Connection Activities

Kathy Hansen provided information on three initiatives to promote a healthy lifestyle. These included:

1. Fats Chats: A Lunch, Listen & Learn Session (a workplace nutrition presentation in your lunch break including a free nutrition talk by a qualified nutritionist)
2. Chronic diseases, physical activity and nutrition workshop
3. FOODcents 2 day facilitator training workshop

Circuit around Nelsons Lagoon

Tony Felesina advised that the Burdekin Road Runners and Walkers have a joint venture with Rotary to construct a concrete circuit around Nelsons Lagoon. Tony advised that both Burdekin Road Runners and Walkers and Rotary will fund and implement the path, and with in-kind support provided by Council.

The Burdekin Be Active Advisory Committee accepted the proposal by Burdekin Road Runners and Walkers for a circuit path at Nelsons Lagoon as a community project- with works to be conducted by Burdekin Road Runners and Walkers in conjunction with Council support.

10,000 Steps: Health and Emergency Services

The group recommended to write to all emergency services to request their involvement this year in the 10,000 steps program; tentative start date of Monday 23rd April.

Burdekin Ministry of Food/Community Kitchen Project

Tarja Martin suggested that seniors could teach how to cook; older people could mentor the disadvantaged; the CWA facilities could be utilised; a food certificate could be obtained.

A subcommittee was formed to discuss this project further. The following are the current members:

- Tony Vaccaro
- Marsha Cody
- Kathy Hansen
- Tarja Martin

CLAUSE 8 PRESENTATION BY BRYAN DUDLEY AND JO COE

Bryan Dudley and Jo Coe from Ayr State Primary School gave a presentation to the Committee on the 'Equipped Program' which was implemented at the school in 2012. The program included parents paying \$3/day (\$780/year) and their child being supplied all schools books, uniforms, arts councils, swimming as well as breakfast, snacks and lunches at school.

On behalf of the Committee, Cr. McLaughlin congratulated the school on implementation of such a great program within their school.

There being no further business, the meeting closed at 5pm.

NEXT MEETING – Wednesday 4th April, 2012 at 3.30pm

Action Items from Meeting

From meeting held on 7th March 2012

Action	Person(s) responsible	Status
Write letter to Department of Main Roads RE: bicycle circuit specifics and permission	Tony Vaccaro	
Mundingburra School bicycle circuit information	Bryan	
Discuss Active Parks project for 2012	Lyn, Tony V, Marsha, Kathy, Bindee	
Discuss and provide Bindee with 2013 funding application ideas	Tony V, Marsha	To be discussed at April meeting
Add Bike Week 2013 to committee calendar of events	Marsha	
Seating for 10,000 steps walking paths	Marsha	
Create & increase awareness of 10,000 steps walking paths, activities & events; marketing initiatives	Marsha	To be discussed at April meeting
Write letter to Emergency Services RE: 10,000 Steps Challenge	Marsha	To be discussed at April meeting
Discuss Burdekin Ministry of Food/Community Kitchen program	Tony V, Marsha, Kathy, Tarja	

From meeting held on 1st February 2012

Action	Person(s) responsible	Status
Advertorial <ul style="list-style-type: none">• Liaise with Council media liaison officer with regards to the content• Obtain the support advertisements	Marsha	On hold until after the election
Food diaries <ul style="list-style-type: none">• Cassandra will remove any personal information (eg names) and then give to Tarja• Trend the content and report back to the committee	Cassandra & Tarja	In Progress

Ongoing Projects

Action	Person(s) responsible	Status
Bollard implementation RE: 10,000 Steps walking tracks	Marsha	Ongoing
Fingerboard implementation RE: 10,000 Steps walking tracks	Marsha	Ongoing
Infrastructure RE: 10,000 Steps walking paths	Marsha	Ongoing

4 REPORTS

4.1 Capital Projects Monthly Report for period ending 31st May 2012

Recommendation

That the Capital Projects Monthly Report for the period ending 31st May 2012 be received.



**BURDEKIN SHIRE COUNCIL
MONTHLY REPORT - CAPITAL PROJECTS**

Period Ending 31 May 2012

Budget	Income Actual to Period End	Variance	Description	Budget	Expenditure Actual to Period End	Variance	Comments
Director of Corporate & Community Services							
0	0.00	-	10000 - Council Chambers	11,000	12,768.39	16%	Budget: Chamber (Heritage) replace floor boards. Work completed.
0	0.00	-	10004 - Home Hill 12th Avenue	10,909	12,373.05	13%	Roof replaced due to deterioration.
0	-167,500.01	-	10020 - Land Purchases/Sales	0	5,597.52	-	Unbudgeted - Revenue from Industrial Estate sales. Expenditure is for legal expenses - To be transferred to operational.
0	0.00	-	11001 - IT Hardware Purchases	461,028	434,430.32	-6%	All IT hardware purchased and being installed.
0	0.00	-	11002 - Admin Office Equipment Capital Purchases	17,272	17,272.24	0%	Budget: Photocopiers. Purchase completed.
0	0.00	-	11004 - Burd Library Off Equip, F & F Capital Purchases	37,600	0.00	-100%	Budget: Burd Library shelving children's area \$17,600 (now installed - committal \$11,980); Bur Library circulation desk \$20,000. Works planned following fish pond renovation.
0	-12,850.00	-	11007 - IT Software Purchases	377,389	141,256.11	-63%	Budget: Server \$6,000 Actual \$10,407; Property & Rating upgrade Budget \$120,000 Actual: \$95,303 (project commenced - went live in March 2012); HR Module Budget \$12,000 Actual \$10,865; Records Classification & Disposition Management Software Actual \$5,641; Kirnie Landfill weighbridge Budget \$16,404, Waste Management connection to TipSite Budget \$20,930 - items have been ordered. Asset Management Budget \$202,055 Actual \$13,697, 5 new ECM licences Actual \$5,343.
0	0.00	-	11101 - Burd Theatre Furniture & Fittings Capital	26,078	32,388.18	24%	Sound Mixing desk \$26,078 - budget to be obtained from Theatre Operational; and Pipe and Drape system \$6,310 - approved by Council 25-10-11 (budget in 12043).
0	0.00	-	11202 - Fibre Optic	73,730	73,453.64	0%	Budget: Install fibre optic from Jones St to SES. Project completed. Final estimate \$75,254.
-148,954	-157,500.00	6%	12007 - Burd Rural Multi-Tenant Service Centre	26,000	3,257.85	-87%	Remaining capital grant funds to be expended. Actual: Solar lights. Balance available for toilet refurbishments for basketball stadium.
0	0.00	-	12012 - Ayr Showgrounds Grounds	44,000	0.00	-100%	Carry Over. Council resolution 24-4-12 to approve purchase of a self-contained cabin for caretaker and provide budget up to \$60,000.
0	0.00	-	12013 - Burdekin Amateur Basketball Assn	0	6,833.51	-	Electrical upgrade to Switchboard \$6,834.
-50,000	-50,000.00	0%	12027 - Giru SES	2,662	0.00	-100%	Grant income budgeted last year but received this year. Expenditure for telstra connection and bitumen apron trft to operational as- completed 2010/11.
0	0.00	-	12041 - Burdekin Library	71,100	5,959.57	-92%	Carry Over - Library Renovations \$60,000 - plans finalised, quotations being sought: Security System \$11,100. Replace Airconditioning Actual \$5,960.
0	0.00	-	12042 - Burdekin Memorial Hall	226,100	83,651.05	-63%	Budget: Replace soffits \$30,000 Actual \$0; Refurb of bar & amenities sections Budget \$120,000 Actual \$9,150 - plans being finalised to go to tender; chiller replacement Budget \$76,100 Actual \$73,906.



**BURDEKIN SHIRE COUNCIL
MONTHLY REPORT - CAPITAL PROJECTS**

Period Ending 31 May 2012

Budget	Income Actual to Period End	Variance	Description	Budget	Expenditure Actual to Period End	Variance	Comments
-3,170	-2,127.27	-33%	12043 - Burdekin Theatre	303,846	209,184.26	-31%	Kitchen upgrade Budget \$59,000 - design and quotations to be obtained; Light Dimmer System (C/O) Budget \$21,163 Actual \$20,177; Floorcoverings (C/O) Budget \$55,000 Actual \$52,105; Auditorium seats (C/O) Budget \$153,887 Actual \$129,682; Replace Smoke Detection System Budget \$7,220 Actual \$7,220; Pipe & Drape System Budget \$6,340 (costed to 11101)
-79,730	-68,292.10	-14%	12044 - Burdekin Library Other Assets	90,499	65,870.45	-27%	Budget: Burd Library books
0	-50,000.00	-	16419 - Lions Park/Diorama	0	53,311.00	-	Unbudgeted grant received for upgrading works to Diorama.
0	-18,131.82	-	16552 - Be Active Trail Equipment	0	0.00	-	Unbudgeted grant received for fountains and exercise stations
0	0.00	-	23145 - CBD2 Home Hill Burdekin Memorial Hall To	31,800	0.00	-100%	Carry Over - Toilets refurbishment. Plans being finalised to go to tender.
-281,954	-526,201.20		Total	1,811,013	1,157,607.14		

Director of Environment & Operations

-1,216,560	-713,426.76	-41%	20000 - Roadworks	6,240,139	3,588,263.10		Roadworks capital expenditure is behind, but rate of expenditure is accelerating. C/o \$768,948
0	0.00	-	11003 - Eng Office Equipment Capital Purchases	11,000	8,761.12	-20%	Actual: Photocopier
0	0.00	-	16005 - Ayr Cemetery Other Assets	35,000	34,472.72	-2%	Budget: Cemetery Vaults - design \$10,000; Shade and concrete work Columbarium \$25,000 (Work commenced late November)
0	0.00	-	16201 - Ayr Transfer Station	100,000	48,345.88	-52%	Actual: \$34,473 Project substantially completed.
0	-12,272.72	-	16203 - Ayr Transfer Station Building	0	0.00	-	Project 50% completed.
0	0.00	-	16207 - Kirknie Landfill Buildings	18,423	2,214.34	-88%	Insurance claim
-10,000	0.00	-100%	16208 - Kirknie Landfill	245,956	335,654.71	36%	Gatehouse: Complete except for extra solar panels. Costs included in CJ 16208.
0	0.00	-	16211 - Ayr Transfer Station Green Waste Pad Reconstruction	0	7,088.76	-	Budget: Access road to weighbridge Budget \$60,000 & Weighbridge Budget \$163,199 Actual \$194,470; Solar Panels Budget \$22,757 Actual \$28,353; Printer Actual \$1,550; Access road substantially completed; Software & Hardware - Tipsite (trf to intangible and operational on completion) Actual \$104,202; Fencing Actual \$7,080.
0	0.00	-	16220 - Kirknie Landfill Cell Liner	597,351	68,634.96	-89%	Project commenced - to be transferred to NDRRA.
0	0.00	-	16251 - Burdekin Cascades Caravan Park	100,000	95,218.63	-5%	Budget \$597,351 - C/o Actual: Soil Testing \$2,147 - Stabilisation of batters completed and Revegetation \$62,000, Internal Road Actual \$4,487.
0	0.00	-	16252 - Home Hill Caravan Park	55,000	0.00	-100%	Two budget studio units substantially completed - Carry over
0	0.00	-	16253 - Burdekin Cascades Caravan Pk Other Asset	40,000	0.00	-100%	Amenities Block & Cabins - Carry Over
0	0.00	-	16254 - Home Hill Caravan Park - Other Assets	15,000	0.00	-100%	Replace fence and gate. Quotes obtained. Carryover?
0	0.00	-	16301 - Ayr Pool	160,000	49,219.36	-69%	BBQ area upgrade. Quotes being obtained.
0	0.00	-	16305 - Millaroo Pool	10,000	0.00	-100%	Concept Design - Carry over
0	0.00	-	16351 - Public Conveniences Anzac Park	119,660	122,328.93	2%	Concept design completed. Detailed design to proceed.
0	0.00	-	16360 - Public Conveniences - Queen Street	80,000	28,778.39	-64%	Work completed - C/o
0	0.00	-	16411 - Off Lead Dog Park Fence	25,000	16,320.00	-35%	Refurbish. Upgrade started. Work substantially completed, some accounts outstanding.
-40,000	-36,000.00	-10%	16418 - Solar Lights Tommie Tie Park	40,000	23,315.88	-42%	Fencing installed.
							Project commenced. (New Grant \$40,000).



**BURDEKIN SHIRE COUNCIL
MONTHLY REPORT - CAPITAL PROJECTS**

Period Ending 31 May 2012

Budget	Income Actual to Period End	Variance	Description	Budget	Expenditure Actual to Period End	Variance	Comments
-20,000	0.00	-100%	16503 - Playground Equipment - Various Parks	60,000	18,409.00	-69%	Shade structures and playground equipment. Quotes being obtained for shade structures for Anzac Park. Shade Sails installed at Brandon park. No funding source available for grants.
0	0.00	-	16506 - Lloyd Mann Park Irrigation	0	1,612.35	-	Installation commenced.
-48,832	-48,832.00	0%	16511 - All Abilities Playground	26,878	11,623.22	-57%	Project completed C/o
0	0.00	-	16512 - Miscellaneous Parks Irrigation	65,000	0.00	-100%	Ross Street park, Rock shop park & part of Lloyd Mann park commenced. C/o \$15,000
0	0.00	-	16515 - Rock Shop Park Irrigation	0	4,519.94	-	
0	0.00	-	16517 - Ross Street Park Irrigation	0	14,566.38	-	
0	0.00	-	16602 - Pound Upgrade	5,035	5,035.00	0%	Project completed. Final cost approx \$10,000 - additional expenditure allocated to operational as under capital threshold.
-20,812	0.00	-100%	16700 - Alva & Wunjunga Dune Protection	72,000	73,037.73	1%	Work completed - C/o - Some costs to be transferred to operational.
0	0.00	-	23250 - Depot/Store Building	13,000	10,704.18	-18%	Reroof and hot dip galvanised beams completed.
0	0.00	-	23301 - Jones St Depot	0	1,417.50	-	Minor expenses to complete prior year project
0	-9,045.00	-	23323 - Yellow Gin Creek Alert Station	0	10,176.75	-	NDRP Project
0	0.00	-	24000 - Drainage Budget	67,919	0.00	-100%	Design completed. Planning for construction commenced.(Brices culvert, Beach Road - Ayr Flood Study) Carry over.
-197,066	0.00	-100%	24008 - Ayr/Lilliesmere Flood & Drng 04/05 NDM2	836,327	561,631.91	-33%	Project substantially completed (Pyott's Dam). \$329,927 (C/O).
-106,667	0.00	-100%	24010 - Ayr Flood Study Dam Upgrade NDRP - L1 Lilliesmere Swamp	213,333	1,531.74	-99%	Trfd \$106,666 to operational for repayment of grant funds in March; \$1,532 to be transferred to Project 24008
-50,000	0.00	-100%	24020 - Gross Pollutant Traps Nelson's Lagoon	125,000	35,347.13	-72%	Design completed. Quote accepted for construction. Carryover?
0	0.00	-	24021 - Ayr Transfer Station Drainage	30,000	0.00	-100%	Design commenced. Treatment device ordered. Carry Over.
0	0.00	-	24022 - Sutcliffe Estate Drainage Stage 1 (Beach Rd to Lilliesmere)	468,067	245,939.08	-47%	Project substantially complete. \$138,067 (C/O).
0	0.00	-	24026 - Andersen Street Drainage	300,000	146,939.07	-51%	Project commenced
-110,000	-92,839.09	-16%	25001 - Sedans	240,000	176,915.38	-26%	Six sedans purchased.
-210,000	-217,898.23	4%	25002 - Utilities	460,000	438,358.65	-5%	Sixteen utilities purchased.
-166,000	-17,090.91	-90%	25003 - Trucks	635,594	138,594.00	-78%	Two trucks purchased Order placed for new street sweeper - 6 months delivery time. C/o \$138,594
-16,750	0.00	-100%	25005 - Plant and Equipment	153,545	49,180.92	-68%	2 Box trailers \$16,545 and Pool cleaner \$12,495; Van air blast pak \$13,671 Diagnostic Scan Tool \$6,470
-10,000	-9,000.00	-10%	25010 - Security Cameras Tommie Tie Park	10,000	8,398.02	-16%	Project commenced. (New Grant \$10,000).
0	0.00	-	30000 - Sewerage Construction Budget	720,000	0.00	-100%	Budget Total \$720,000 Actual Total \$83,612
0	0.00	-	30209 - Pump Station 9 Ayr	0	11,486.98	-	
0	0.00	-	30210 - Pump Station 10 Ayr	0	12,096.05	-	
0	0.00	-	30211 - Pump Station 11 Ayr	0	12,880.69	-	
0	0.00	-	30216 - Pump Station 16 Ayr	0	10,766.53	-	
0	0.00	-	30221 - Pump Station 21 Ayr	0	248.00	-	
0	0.00	-	30253 - Pump Station 3 Brandon	0	14,016.49	-	
0	0.00	-	30301 - Pump Station 1 Home Hill	0	18,117.49	-	
0	0.00	-	30405 - Treatment Plant Inlet Structure Ayr/Bran	238,800	24,576.78	-90%	Tender awarded.
0	0.00	-	30410 - Treatment Plant Primary Digester Ayr/Bra	0	4,000.00	-	
0	0.00	-	30413 - Treatment Plant Sludge Drying Beds Ayr/B	0	124.00	-	



**BURDEKIN SHIRE COUNCIL
MONTHLY REPORT - CAPITAL PROJECTS**

Period Ending 31 May 2012

Income Actual		Variance	Description	Expenditure		Variance	Comments
Budget	to Period End			Budget	Actual to Period End		
0	0.00	-	30452 - Treatment Plant Buildings Home Hill	6,000	0.00	-100%	
0	0.00	-	30457 - Treatment Plant Secondary Clarifier Home	0	124.00	-	
0	0.00	-	30462 - Treatment Plant Sludge Drying Beds Home	0	124.00	-	
0	0.00	-	31050 - Sewer Reline Project	588,397	31,510.13	-95%	Order placed. C/o \$88,397
-396,000	0.00	-100%	31060 - Sutcliffe Estate Sewerage	990,000	39,808.00	-96%	Design commenced.
0	0.00	-		240,000	0.00	-100%	Budget Total \$240,000 Actual Total \$116,500
-1,800,000	0.00	-100%	35240 - Fluoridation	1,800,000	18,105.50	-99%	Concept design completed. Detailed design to proceed.
0	0.00	-	35264 - Iron & Manganese Removal	0	18,610.00	-	Design commenced.
0	0.00	-	35352 - Distribution Mains Ayr	0	14,739.27	-	Chippendale Street project & Methodist Lane project commenced.
0	-74,430.27	-	35401 - Distribution Mains Brandon	0	83,201.16	-	MRD project. Project completed.
0	0.00	-	35433 - Rural Water Supplies Home Hill	60,000	55,231.21	-8%	Fry / Davenport Road. Project completed.
-4,418,687	-1,230,834.98		Total	16,317,424	6,752,321.01		
-4,700,541	-1,757,036.18		TOTAL CAPITAL PROJECTS	18,128,437	7,909,928.15		

4.2 Operating Statement for period ending 31st May 2012

Recommendation

That the Operating Statement for the period ending 31st May 2012 be received.



**BURDEKIN SHIRE COUNCIL
OPERATING STATEMENT
Period Ending 31 May 2012**

	Note	Actual YTD	YTD Revised Budget	\$ Variance Actual to Revised	% Variance Actual to Revised
Operating Revenue					
Rates and Utility Charges	1	33,254,485.93	33,951,790	-697,304	-2%
Discounts and pensioner remissions		-3,364,926.20	-3,380,034	15,108	0%
User fees and charges	2	2,217,254.58	2,193,808	23,447	1%
Interest Received		1,685,830.28	1,454,750	230,880	16%
Operational contributions and donations	3	172,764.35	184,457	-11,693	-6%
Operational grants and subsidies	4	10,608,396.83	15,289,100	-4,680,703	-31%
Contract and recoverable works	5	1,848,716.79	1,462,083	386,633	26%
Other operating revenue	6	292,171.45	274,616	17,556	6%
Total operating revenue		46,714,494.01	51,430,570.17	-4,716,076	-9%
Operating Expenses					
Employee benefits	7	14,830,565.03	17,235,185	-2,404,620	-14%
Materials and services	8	22,270,267.48	22,552,740	-282,472	-1%
Depreciation and amortisation		7,100,114.15	7,100,114	0	0%
Finance Costs		401,835.95	429,227	-27,391	-6%
Other expenses		-69.94	0	-70	-
Total operating costs		44,602,712.67	47,317,265.50	-2,714,553	-6%
Surplus (deficit) from operating activities		2,111,781.34	4,113,305	-2,001,523	-49%
Capital contributions	9	222,120.75	0	222,121	-
Capital grants and subsidies	10	1,025,187.20	3,860,423	-2,835,236	-73%
Other capital income (expense)	11	497,328.24	0	497,328	-
Net result for period		3,856,417.53	7,973,728	-4,117,311	-52%

25/06/2012 05:00 PM

**BURDEKIN SHIRE COUNCIL
OPERATING STATEMENT
NOTES FOR VARIANCES TO BUDGET
Period Ending 31 May 2012**

Note

1 Rates and Utility Charges

Admin - Rates in advance to be journalled in as income as at June 2012.

2 User Fees & Charges

Env - Under Budget \$27,815 - Health licence and Animal renewals to be issued in June.

Admin - Over Budget \$3,764 - Timing difference - Some permits and rentals raised for full year.

Waste - Over Budget \$35,263 - Extra due to State Government Levy collected for commercial waste.

3 Operational Contributions and Donations

Env - Under Budget \$14,323 - Invoices to be raised for Landholders in second half of year.

4 Operational Grants and Subsidies

Eng - Under Budget \$4,750,419 - NDRRA claim to be processed.

Env - Under Budget \$93,581 - Grants to be received after work completed.

Admin - Over Budget \$127,076 - Timing difference - grants received in full.

C&C - Over Budget \$36,220 - Timing difference - RADF Grant received in total, unbudgeted funds for Qld Week Family Fun Day \$5,800, Doing Business In The Burdekin Grant \$15,000, Feasibility Study Plantation Park Grant \$15,000, EMQ Emergency Generator \$9,790.

5 Contract and Recoverable Works

Eng - Over Budget \$386,237 - BSRIT greater than budgeted.

6 Other Operating Revenue

Admin - Under Budget \$33,474 - Workcare income under budget; insurance claims received in previous year.

Waste - Under Budget \$12,567 - Waiting on metal recycler payment to arrive.

C&C - Over Budget \$19,011 - Timing differences and various increases of actual over budget including HH Centenary merchandise sales.

7 Employee Benefits

Eng - Under Budget \$2,246,351 - Mainly Roads Maintenance \$235,111, Workshop Operations \$75,100, Rec Wks - Main Roads \$111,501, & Rec Wks Other \$1,737,102. Over budget in the areas of Recoverable Works - BSRIT \$34,945 & Engineering Admin \$24,478. Staff vacancies & use of contract instead of day labour in some NDRRA projects.

Sew - Under Budget \$100,378 - Mainly in the areas of Sewerage Reticulation Ayr \$77,448, Sewerage Treatment Ayr/Brandon \$115,095, & Pump Stations Ayr \$105,026. Over budget in the area of Pump Stations Home Hill \$52,681 & Sewerage Treatment Home Hill \$109,099.

Water - Under Budget \$79,120 - Mainly Water Operational \$47,013, Property Connections \$22,334 & Meters Ayr \$13,054. Over budget mainly Water Treatment \$17,020.

Waste - Over Budget \$11,787 - Mainly in the area of waste disposal. Temporary use of council employee instead of contractor, due to contractor injury, has increased employee costs.

8 Materials & Services

Env - Under Budget \$340,432 - Mainly Aquatic Weed Control \$36,789, Land Protection \$113,653, Vector Admin \$31,906, & Public Conveniences \$38,645. Over budget mainly Health Regulatory Enforcement \$4,954 & Street Cleaning \$8,627 - Precept and Main Roads work later in the year.

Sew - Under Budget \$128,179 - Insurance premium paid for year \$66k. Mainly Sewerage Reticulation Ayr \$76,181, Pump Stations Ayr \$74,666 & Sewerage Treatment Ayr/Brandon \$150,569. Over budget mainly Pump Stations Home Hill \$33,414 & Sewerage Treatment Home Hill \$106,792.

Waste - Under Budget \$503,290 - In the areas of Waste Collection \$239,825 & Waste Disposal \$227,256 - Contract payments delayed by contractor due to account errors. Also experiencing difficulties obtaining specialised contractors to undertake works.

Water - Under Budget \$65,563 - Under budget mainly Water Admin \$32,514, Water Supply \$89,640, & Property Connections \$35,508. Over budget mainly Water Treatment \$148,039.

Eng - Over Budget \$1,025,576 - NDRRA Expenditure - Mainly Rec Wks Other \$912,605, Rec Wks BSRIT \$498,317 & Drainage Maintenance \$71,333. Under budget mainly Wks Section \$228,869, Rec Wks Main Roads \$265,635 & Street Lighting \$51,045.

9 Capital Contributions

C&C - Over Budget \$995 - Anzac Book Donations

Eng - Over Budget \$128,564 - Contributions from developers, project contributions toward footpath works, & Bartlett Road drainage.

Env - Over Budget \$18,132 - Supportive infrastructure for Burdekin Be Active Trail.

10 Capital Grants & Subsidies

Eng - Under Budget \$861,048 - Projects to be completed before grants received.

Sew - Under Budget \$363,000 - Grant still to be received for Sutcliffe Estate Sewerage Construction.

Water - Under Budget \$1,650,000 - Grant for Water Fluoridation not yet received.

Env - Over Budget \$15,992 - Unbudgeted grants received for Funding Grant Revitalisation of the Home Hill Diorama \$50,000. No funding has been made available for Shade Structures.

C&C - Over Budget \$19,337 - Timing difference - some grants received in full.

11 Other Capital Income

Admin - Over Budget \$167,500 - Sale of Industrial Estate Blocks Lots 44, 45, 46, 47, 48 and 49.

Eng - Over Budget \$329,828 - Proceeds from sale of equipment.

5 ENVIRONMENT & OPERATIONS

5.1 Waste Disposal Fees

Document Information

Referring Letter No: N/A

File No: 1/5/1 I

Name of Applicant: N/A

Location: Waste Facilities – Burdekin Shire council

Author and Title: Anne McLaughlin – Environment & Health Project Officer

Executive Summary

Waste disposal fees are attached for Council's consideration and approval. The proposed fees consider the removal of the state government waste levy and introduction of new fees.

Recommendation

That the fees for waste management proposed be accepted for the 2012-2013 year.

Background Information

Council is required to set fees for waste disposal. There have been considerable changes in legislation, state government policy and increases in waste management costs which impact on the overall cost for waste management services.

It is the intention of this report to provide information relating to the impact of such changes on the cost of waste management in Burdekin Shire Council in relation to new charges set.

Issues

In accordance with the newly developed Queensland Waste Management Policy, underpinned by the *Waste Reduction and Recycling Act 2011*, Council is required to develop a strategic waste management plan by 1 December 2012 that progresses the aims of the Policy. The aims of the Policy involve reducing the volume of waste to landfill incorporating the user and polluter pays principal.

The previous state government enacted the *Waste Reduction and Recycling Act 2011* introducing a waste levy which commenced from the 1 December 2011. This required Burdekin Shire Council to install a weighbridge, associated infrastructure and processes to enable the collection of the levy. This levy has to date remitted approximately \$10,000 per month to the state government. An additional two months of levy payments will be required in the 2012/13 financial year due to the 60 day lag in payment of the levy due. In addition,

costs totalling more than \$195,000.00 have been incurred above that provided by grants received for the installation of infrastructure.

Costs of processing waste, waste management contractor charges, cost of construction of the landfill, closure and rehabilitation costs, and future carbon tax liability costs and compliance issues are to be taken account of when determining the actual cost of waste disposal. The information to determine the actual cost is currently being gathered through such means as land surveys and accurate records taken of waste deposited to landfill. Once information has been collected for a suitable period of time, an accurate costing can be translated into suitable fees. Until this is done, waste fees are generally based on previous years fees and include the removal of the state government waste levy component.

New fees- Greenwaste

It is proposed, in line with the user and polluter pays principals, that a greenwaste fee be introduced to assist in the covering of cost of maintaining and processing greenwaste. Costs incurred include pushing of greenwaste, cost of mulching, maintenance of greenwaste pads, construction of greenwaste pads, costs associated with fire management etc. Mulching and pushing of greenwaste cost \$87,000 so far this financial year. This cost is for processing only. It does not include construction and maintenance of greenwaste pads. This was significantly reduced as NDRRA funding covered the majority of the costs. Next year's budget for waste incorporates \$233 000 for greenwaste maintenance and processing. Proposed greenwaste disposal fees have been included in the schedule of rates.

New fees-Recyclable items

Arrangements have been made with a plastics recycler for the collection of items such as drums and vehicle bumper bars at cost and less than disposal costs to encourage recycling. A schedule of the costs are included in the schedule of rates.

New fees- Use of weighbridge

All vehicles entering the Kirknie Road landfill from the 1 July 2012 will be required to pass over the installed weighbridge. Expressions of interest have been raised for the use of the weighbridge for purposes other than disposal of waste. A fee has been set to allow this to occur but it should be noted that the weighbridge does not have certification as a public weighbridge.

New fees- Hire Giru waste transfer station

A new fee has been incorporated for the use of the facility and disposal of waste from Invicta Mill. The monthly fee is consistent with the current charges to the Mill.

Summary

The attached fees for waste management services. These have generally been set consistent with previous years with the removal of the Qld state government waste levy. The addition of new fees

Link to Corporate/Operational Plan

N/A

Consultation

Internal/External

Legal Authority or Implications

(statutory basis – eg Act, Local Law, legal risks)

Waste Reduction and Recycling Act 2011

Qld Waste policy

Policy Implications

N/A

Financial and Resource Implications

N/A

Report prepared by:

Anne McLaughlin – Environment & Health Project Officer

Report authorised by:

Tracy Jensen – Manager of Environment & Health

Attachments

1. Transfer Station Fees

Waste disposal charges. Levy in place from 1 Dec 2011 to 30 June 2012 removed.

includes GST

			11/12	equivalent no levy 11/12	12/13		
transfer station and landfill	MSW & CI		general bag/bin up to 140L	\$2.00	\$2.00	each	\$2.00
			self haul car	\$5.00	\$5.00	each	\$5.00
			self haul car with small trailer or 240L MGB	\$11.00	\$11.00	each	\$11.50
			self haul car with large trailer	\$16.50	\$16.50	each	\$17.00
			self haul van or ute	\$16.50	\$16.50	each	\$17.00
			self haul van or ute with trailer	\$30.00	\$30.00	each	\$31.50
			greenwaste - car	\$0.00		each	\$2.00
			greenwaste - car with trailer	\$0.00		each	\$5.00
			greenwaste - van or ute	\$0.00		each	\$5.00
			greenwaste - van or ute with trailer	\$0.00		each	\$7.00
			metals- steel	\$0.00		each	\$0.00
			metals appliances	\$0.00		each	\$0.00
			metals appliances not decommissioned	\$31.00	\$31.00	each	\$31.00
			community clean up waste	\$0.00	\$0.00	each	\$0.00
transfer station only	C & I		commercial cardboard	\$3.15	\$3.15	cub m	\$5.00
	MSW		domestic cardboard	\$0.00		cub m	\$0.00
	Low hazard	C & I	batteries	\$0.00		each	\$0.00
	Low hazard	MSW	batteries	\$0.00		each	\$0.00
	Low hazard		oil <6L	\$0.00		litre	\$0.00
	Low hazard		oil >6L	\$0.15	\$0.15	litre	\$0.16
	Low hazard		oil filters max 3	\$0.00		each	\$0.00
	Low hazard		oil filters > 3	\$2.80	\$2.80	each	\$3.00
	Low hazard		cooking oil max 20L	\$0.00		litre	\$0.00
	Low hazard		cooking oil >20L	0.15	0.15	litre	\$0.16
	Low hazard		waste oil containers	\$7.00	\$7.00	5 litre	\$1.00
	Low hazard		waste oil containers	\$10.00	\$10.00	10 litre	\$10.00
	Low hazard		waste oil containers	\$14.00	\$14.00	20 litre	\$14.00
	Low hazard		waste oil containers	\$20.00	\$20.00	60 litre	\$20.00
	Low hazard		waste oil containers	\$33.50	\$33.50	205 litre	\$33.50
	Low hazard	C & I	grease trap waste	\$0.35	\$0.35	litre	\$0.40
	C&I		greenwaste - light commercial	\$0.00		each	\$10.00
	C&I & MSW		cleaned recyclable plastic drums (not drum/muster)			each	\$1.00
	C&I & MSW		recyclable plastic bumperbars			each	\$3.00
	Low hazard		tyres	cost	cost + GST	each	
Landfill only	C & I		general	\$130.00	\$95.00	tonne	\$100.00
	C & I		lightweight plastic/polystyrene	\$110.00		cub m	\$115.50
	C & I		stumps logs >300mm	\$65.00		cub m	\$70.00
	MSW		stumps logs >300mm	\$65.00		cubic m	\$70.00
	C & I		commercial greenwaste	\$0.00		tonne	\$20.00

new
new
new
new

no change

Contract Price

no change to actual cost at remedy

Increased costs

new
new
new

new

MSW		car body	\$0.00		each	\$0.00
MSW		general	\$100.00	\$100.00	tonne	\$100.00
C & D		general	\$130.00	\$95.00	tonne	\$100.00
C & D		clean soil, fill for cover	\$0.00		tonne	\$0.00
C & D		concrete requiring rockbreaker	\$100.00	\$100.00	tonne	\$100.00
C & D		clean concrete, pavers, tiles, bricks > 100mm	\$50.00	\$50.00	tonne	\$52.50
C & D		clean concrete, pavers, tiles, bricks < 100mm	\$20.00	\$20.00	tonne	\$21.00
C & D		asphalt (for recycling)	\$50		tonne	\$52.50
		dead animal - large	\$85.00		each	\$90.00
Low Hazardous		other (food processing waste etc)	\$155.00	\$105.00	tonne	\$110.00
high hazardous		Handling fee	\$210.00		each	\$210.00
high hazardous		asbestos (excludes handling fee required)	\$200.00		tonne	\$210.00
other	C & I	Qiru transfer station hire & bin collection	\$3,241.00		per month	\$3,300.00
		Use of Weighbridge - non certified			each	\$13.00
	C&I MSW	Collection of kerbside bins, Ayr, Home Hill & Brandon			per bin	\$20.00

Handling fee remaining unchanged

new
new

Landfill fees when weighbridge not operational

MSW or CI	general uncompacted	cubic metre	\$20.00
MSW or CI	general compacted		\$45.00
C&D	general		\$50.00
C&D	concrete requiring rockbreaking		\$40.00
C&D	bricks pavers clean concrete > 100mm		\$30.00
C&D	bricks pavers clean concrete < 100mm		\$20.00
C&D	asphalt		\$30.00
C&D	timber treated (for reprocessing)		\$40.00
C&D	clean soil		0
HH	Asbestos properly handled	add handling fee	\$100.00
C & I	low hazardous		\$70.00
MSW & CI	greenwaste		\$5.00

new

5.2 M Coldstream - Development application for Material Change of Use at 133 Graham Street, Ayr (Lot 8 on SP185662, Parish of Antill, County of Gladstone)

Document Information

Referring Letter No: 1155843

File No: 2011 CONS (Cons 12/0006)

Name of Applicant: Mark Coldstream

Location: 133 Graham Street, Ayr (Lot 8 on SP185662, Parish of Antill, County of Gladstone)

Author and Title: S Great – Manager Planning and Development

Executive Summary

An application has been received from Mark Coldstream seeking approval for Material Change of Use for Dual Occupancy at 133 Graham Street, Ayr (Lot 8 on SP185662, Parish of Antill, County of Gladstone). A Development Application (Code Assessable) has been triggered in accordance with the Burdekin Shire IPA Planning Scheme.

Recommendation

That Council approves the Development Application for a Material Change of Use for a Dual Occupancy at 133 Graham Street, Ayr (Lot 8 on SP185662, Parish of Antill, 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 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 approved plans submitted from Tony Ferraris Consulting Building Design Job No TFBD-12009 DWG No. A00-A05 Issue A.

BUILDING WORK

2. A development permit for Building Works is to be obtained before any building works are carried out on the premise.

DRAINAGE

- 3.1 Stormwater drainage from paved/sealed and roofed 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.

- 3.2 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.
- 3.3 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system.

PUBLIC UTILITY SERVICES

- 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 Construct a minimum 4m wide industrial crossover (150mm thick, 32 mPa concrete, F72 mesh) from the invert of the existing kerbing and channeling to the property boundary and re-profile the footpath each side of the proposed driveway to comply with the Disability Discrimination Act.
- 5.2 Provide to Council prior to the commencement of works cross sections 1:50 natural scale from the side of Graham Street to the property boundary showing existing and design levels, for the crossover in condition 5.
- 5.3 Construct a minimum 4m wide industrial crossover (150mm thick, 32 mPa concrete, F72 mesh) from the invert of the existing kerbing and channeling to the property boundary and re-profile the footpath each side of the proposed driveway to comply with the Disability Discrimination Act, prior to the construction of the future dwelling/unit.
- 5.4 Provide to Council prior to the commencement of works cross sections 1:50 natural scale from the side of Graham Street to the property boundary showing existing and design levels, for the crossover in condition 7.

ACCESS AND CAR PARKING

- 6.1 Parking shall be provided generally in accordance with the approved plan from Tony Ferraris Consulting Building Design Job No TFBD-12009 DWG No. A00-A05 Issue A.
- 6.2 Parking space and layout must be designed in accordance with the provisions contained in Schedule 2 – Vehicle Parking Rates & Standards of the Planning Scheme.
- 6.3 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.
- 6.4 If any existing on street parallel car parking fronting the proposed development needs to be realigned or removed, the applicant is to be responsible for any works to be carried out. All design and works are to be in accordance with Council's guidelines and at the applicant's full cost.

WATER SUPPLY

7. 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

- 8.1 The development must be connected to Council's sewerage scheme. The sewerage connection must be provided at a location approved by council and at the full cost of the developer.
- 8.2 An approval to erect a structure over or adjacent to a sewer is to be obtained prior to the construction of the rear dwelling/unit.

AMENITY – SCREEN FENCING

9. A 1.8m high screen fence must be provided along the adjoining property boundaries and must be designed to assist in breeze flow. The type and design must be submitted and approved by the Chief Executive Officer as part of the Landscaping Plan.

LANDSCAPING AND SCREENING

10. 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;

DOMESTIC WASTE

11. The developer shall provide appropriate domestic waste receptacles (wheelie bins) for each dwelling unit. Such receptacles shall be stored adjacent to each unit.

ADVICE ONLY

- *Provide a suitably sized master meter at the water service and individual sub-meters to each of the proposed units in accordance with Part 4 of the Queensland Plumbing and Wastewater Code. The location of such meters shall be as approved by the Chief Executive Officer, and at the applicant's full cost.*

Background Information

The following comments are from the Manager of Planning & Development, Mr Shane Great:

The land is zoned 'Residential', with the proposal triggering a 'code assessable' development application for Material Change of Use. The application has been assessed against the Dual Occupancy Zone Code under the provisions of the Burdekin Shire Council's IPA Planning Scheme.

The Application:

The applicant's intent is to construct a dual occupancy consisting of 3 bedrooms and double lock up garage in each unit on the subject site. Providing the proposal meets all of the recommended development standards, the amenity of the area should not be detrimentally impacted upon. The proposed dual occupancy will conform to the requirements of the Dual Occupancy Zone Code.

Site Description/Surrounding Land Uses:

The subject land is located in Graham Street in the centre of the Ayr township one street/block from the main street/highway and CBD. Residential land uses dominate the surrounding area to the north with commercial properties across the street towards the CBD. A residential dual occupancy will maintain and enhance the visual amenity of the surrounding residential area.

Conclusion:

Council's Development Assessment Team members have assessed the application and have included reasonable and relevant conditions as part of the recommended approval. Given that the proposal complies with the provisions contained in Council's IPA Planning Scheme, it is recommended that Council approves the application subject to the abovementioned conditions.

Link to Corporate/Operational Plan

N/A

Consultation

All relative Council departments have been consulted, there was no external consultation required for this application.

Legal Authority or Implications

N/A

Policy Implications

N/A

Financial and Resource Implications

N/A

Report prepared by:

S Great – Manager Planning and Development

Report authorised by:

S Great – Manager Planning and Development

Attachments

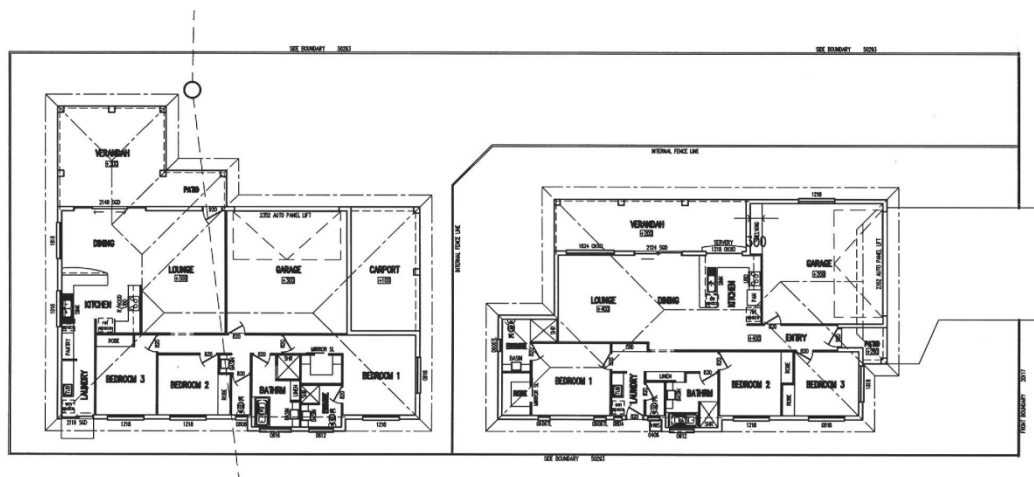


Planning Scheme

- Rural
- Rural Industry Sub Area
- Rural Nature Based Recreation Sub Area
- Rural Settlement Sub Area
- Residential
- Residential Low Density Sub Area

Zone Map

- Retail and Commercial
- Industrial
- Extractive Industry Sub Area
- Industry Investigation Sub Area
- Public Purpose
- Community Infrastructure Designation
- Village
- Open Space & Recreation



LOT NUMBER: 8
PLAN NUMBER: SP185662
PARISH: ANTILL
COUNTY: GLADSTONE
AREA: 1012.0 sqm



PROPOSED SITE PLAN
SCALE 1:200

REVIEW

STREET
GRAHAM



5.3 Chaplands Pty Ltd - Development Application for Reconfiguring a Lot At Burstall Road, Ayr (Lot 200 on SP236357 Parish of Antill, County of Gladstone)

Document Information

Referring Letter No: 1168460

File No: 2011 Sub (Sub12/0015)

Name of Applicant: Chaplands Pty Ltd

Location: Burstall Road, Ayr (Lot 200 on SP236357 Parish of Antill, County of Gladstone)

Author and Title: S Great - Manager Planning and Development

Executive Summary

An application has been received from Everson Town Planning on behalf of their client Chaplands Pty Ltd seeking approval for Reconfiguring a Lot (subdivision) at Burstall Road, Ayr (Lot 200 on SP236357 Parish of Antill, County of Gladstone). A Development Application (Code Assessable) has been triggered in accordance with the Burdekin Shire IPA Planning Scheme.

Recommendation

That Council approves the Development Application for Reconfiguring a Lot (subdivision) at Burstall Road, Ayr (Lot 200 on SP236357 Parish of Antill, County of Gladstone) subject to the following conditions:

GENERAL

- 1.1 The Council will not release the formal Plan of Reconfiguration until all rates and charges in arrears in respect of the land, the subject of the application, are paid in full.
- 1.2 Pay the sum of \$953.60 calculated on the basis of a charge of \$29.80 per lot to be levied on the Council by the Department of Environment & Resource Management for each new valuation.
- 1.3 The proposed lots must be filled and compacted with approved material to a minimum level equal to the level of a 50 year ARI flood and must be evenly graded to the road frontage or an approved inter-lot drainage system at not less than 0.25% to ensure that the land is free draining.

Where fill is incorporated on allotments, details of compaction standards obtained are to be provided to Council. Such standards are to comply with the minimum standard for building construction.

-
- 1.4 Where inter-allotment drainage benefits only freehold lots easements shall be created in favour of benefitted lots.
- 1.5 Access to all lots is to be via internal access roads only.
- 1.6 The proposed residential lots are to be located or incorporate measures to minimise the impact of dust, smoke, noise and ash generated by nearby agricultural activities in accordance with the “*Planning Guidelines: Separating Agricultural and Residential Land Uses – August 1997.*”

PROPOSAL PLAN

- 2 The reconfiguration of the land must be carried out generally in accordance with:-
- (a) (i) the proposed Plan Drawing EC-002, No 01-03, Rev A
 - (ii) the plans, specifications, facts and circumstances as set out in the application submitted to Council;
- Except where modified by the conditions of approval and any approval issued there under; and
- (b) any approval issued under this approval; and
 - (c) any development permit for operational works relating to the reconfiguring of a lot;

SOIL EROSION SEDIMENT CONTROL & STORMWATER

- 3.1 A detailed Soil Erosion and Sediment Control Plan for the development must be provided as part of Operational Works application. An appropriately qualified professional must design and certify the plan which must comply with the Environment Protection Act 1994 and all its subordinate legislation, and addresses the performance outcomes stated in State Planning Policy 4/10, Appendix 1, Part A.
- 3.2 A Stormwater Management Plan for the development must be provided as part of Operational Works application which demonstrates;
- The proposed stormwater drainage layout, for the completed subdivision, including both surface underground drainage structures.
 - An adequately sized stormwater route from the proposed development to the lawful point of discharge at Lilliesmere Lagoon.
 - Measures to be used to minimise stormwater discharge rate from the developed site.
- 3.3 A Stormwater Quality Management Plan for the subdivision, which addresses the performance outcomes stated in State Planning Policy 4/10, Appendix 1, Part A, must be provided as part of Operational Works application.
- 3.4 Provide to Council all stormwater calculations and design details for the development. Calculations must show:
- hydrology calculations, for both Q5 and Q50 events, including runoff from individual catchments;
 - hydraulic calculations, for both Q5 and Q50 events, including

-
- backwater analysis
 - hydraulic grade line results
 - kerb and channel flow widths and depths
 - pipe flows and velocities
 - channel flows and velocities
 - overland flow volumes and velocities

These shall be certified by a Registered Professional Engineer of Queensland (RPEQ) and be included in the operational works application.

DRAINAGE

- 4.1 The developer shall provide a stormwater management plan for the entire development. The plan shall illustrate the flow paths for the minor and major drainage systems.
- 4.2 The minor drainage shall consist of an underground system capable of conveying 5 yr ARI flows from the development and any external catchments currently flowing onto the land being developed. Stormwater shall not overtop kerb for a 5yr ARI event.
- 4.3 The major drainage system shall consist of overland flow paths or suitably sized underground drainage capable of discharging 50yr ARI flows from the development and any external catchments currently flowing onto the land being developed. Stormwater shall be confined to road reservations and easements for a 50yr ARI event.
- 4.4 The lawful point of discharge for stormwater shall be at a location approved by Council.
- 4.5 All surface drainage shall be suitably lined with concrete to maintain levels and grades.
- 4.6 All drainage works are to be designed to ensure no detrimental affect to the upstream and downstream catchments.
- 4.7 Downstream drainage paths and structures are to be analysed to ensure they are suitably sized for the increased flows from the development when fully developed. Any inadequate elements of the system are to be augmented at the developers full cost to allow for the increased flows.
- 4.8 Drainage reserves and easements shall be provided as required by the stormwater design. The developer must at its own cost grant and register all such easements on the title document. Land within proposed reserves shall be transferred to the Burdekin Shire Council upon registration of the Survey Plan.

DRAINAGE RESERVES

- 5.1 Overland flow paths designed as part of the major drainage system shall be constructed within drainage reserves to be dedicated to Council.

-
- 5.2 Open drains within reserves shall have a 1.2m minimum width concrete invert constructed in the base of the drain.
 - 5.3 Widths of drainage reserves shall be the width of the constructed drain plus a minimum of 3m each side of the top of the drain.

DRAINAGE EASEMENTS

- 6.1 Open drains incorporated in the minor drainage system shall be located within drainage easements and shall have a 600mm wide concrete invert constructed in the base of the drain.
- 6.2 Piped drains traversing allotments shall be located within drainage easements.
- 6.3 Width of drainage easements shall be the width of the constructed drain plus a minimum of 1m each side of the top of the drain, pipe or culvert with a minimum width of 4m.
- 6.4 Temporary drainage constructed during the staging of the project shall be within easements. These easements may be relinquished at the completion of works of any future stages in the development which renders the easement unnecessary for the transportation of stormwater.

ROADWORKS

New Road

- 7.1 Road reserve width shall be 16.5m.
- 7.2 Provide stand up kerbing and channelling for the full length of the development. The alignment of such shall provide 8.2m minimum between faces of the kerb
- 7.3 Provide an asphalt seal (minimum 30mm thick) for all new roads.
- 7.4 Pavement design shall comply with Queensland Transport pavement design manual guidelines and shall be no less than 150mm thick compacted type 2.2 gravel.

Temporary Turnarounds

- 7.5 Provide a temporary bitumen turnaround at the end of the Mulberry Circuit. The turnaround shall have a minimum radius of 10 metres and be contained within road reserve or easements. The dedicated road reserve/easement shall extend to a point 5 metres beyond the end of the turnaround. The construction of the turnaround is to be in accordance with Council design guidelines. A bond of \$25,000 shall be lodged with the Burdekin Shire Council as a guarantee for the construction of kerb and channel around the turnaround if future stages of the development have not commenced construction within a two year period after completion of the current stage. This bond shall be returned to the developer upon commencement of operational works for the next stage which continues this road beyond the turnaround within the specified timeframe.

Accesses

- 7.6 The construction of any crossover or access points to the proposed lots are to be the owners responsibility and to the satisfaction of the Chief Executive Officer. Any proposed purchaser of the land is to be advised accordingly.
- 7.7 An application for street names must be submitted to and approved by Council prior to approval of Operational Works. Approved street names must be shown on all engineering drawings submitted with the Operational Works application.
- 7.8 Street nameplates must be erected at each intersection indicating the name of each street and the street numbers. The signs shall be in accordance with Council standard street nameplate and erected in accordance with Department of Main Roads Manual of Uniform Traffic Control Devices.

PUBLIC UTILITY SERVICES

- 8.1 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.

OPERATIONAL WORKS

- 9.1 Where operational works are required to be carried out for the reconfiguration, 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;
 - (c) a letter from the Electricity Service Provider stating that electricity can be readily supplied to the development;
- 9.2 No work must be commenced prior to issue of a development permit for operational works.

ELECTRICITY SUPPLY AND STREET LIGHTING

- 10.1 The developer must prior to release of formal Plan of Survey submit a letter from Ergon Energy (or other suitable entity) stating that satisfactory arrangements have been made with it for the provision of an underground electricity supply to the subdivision and must provide at the developer's cost:

-
- (a) a reticulated underground electricity supply to each part of the subdivision in accordance with the requirements of the Electricity Service Provider;

10.2 The developer must install ducting to the satisfaction of the Electricity and Telecommunications Service Providers prior to the approval of the Plan of Survey, and

10.3 Street lighting is to be provided to Category P5 in accordance with AS 1158.3.11 - Road Lighting. The consent of the Chief Executive Officer will be required prior to the final design being adopted.

WATER SUPPLY WORKS INTERNAL

11.1 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. Each of the proposed lots shall have separate water services.

- a) A water network analysis for the entire development, prepared by an appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ), must be provided to Council for approval as part of the Development Permit for Operational Works.
- b) The water network analysis must demonstrate that for the entire development minimum pressure (head) of 22m is available at the most disadvantaged allotment frontage/meter location upon completion of the stage and detailing stages at which trunk components of the network should be implemented.

11.2 Any connection or upgrades to Council's existing water infrastructure required by the development shall be carried out by the Council at the developers full cost.

SEWERAGE SUPPLY

12.1 A sewerage network analysis, prepared by an appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ), must be provided to Council for approval as part of the Development Permit for Operational Works.

12.2 The development must be connected to Council's reticulated sewerage system or as an alternative, construct the necessary infrastructure to each proposed new lot to allow an appropriate pressure sewer system to be installed. All works required are to be carried out at the developers full cost;

12.3 Any connection or upgrades to Council's existing sewerage infrastructure required by the development shall be carried out by the Council at the developers full cost;

12.4 Provide a sewer connection to each of the proposed lots included in the development to Council's sewerage scheme. All works required are to be carried out at the developers full cost;

12.5 The lawful point of discharge into Council's sewerage infrastructure shall be at a location approved by Council.

WATER SUPPLY AND SEWERAGE HEADWORKS

- 13.1 The developer must contribute in accordance with Council's Planning Scheme Policy for Infrastructure Provision - Developer Contribution for Provision of Water supply and Sewerage services is payable, the contribution must be paid at the rate current at the time of payment.

AS-CONSTRUCTED PLANS

- 14.1 Prior to the release of the plan, the developer shall provide Council with a complete set of as-constructed plans and an electronic copy which is to be compatible to Council's system at the relevant time, for all works. Such plans are to be certified by an R.P.E.Q.

OPEN SPACE AND PARKLAND

15. Instead of dedicating land for park purposes, the developer must pay to Council a cash contribution. The current amount payable is \$23,250.00 (i.e. 31 lots @ \$750.00/lot). Payment must be received before the formal plan of subdivision is released.

ADVICE (Note: These are not conditions)

- *An application for Operational works must be submitted to Council in accordance with these conditions.*
- *Unless otherwise specified by these conditions, the conditions must be complied with prior to approval of the Plan of Survey.*
- **Earthworks**
If the development of the subject property requires soil to be imported or exported, the developer must identify the allotments which would be used for borrowing or filling and must obtain Council approval for such works in addition to engineering approval for the development. In this regard, the developer must obtain Council approval for the route of transport, the period and time of transport during the construction phase of the development.
- **Environmental Considerations**
E.P.A. Requirements
Construction must comply with the Environmental Protection Act, Policies and Guidelines to prevent or minimise either environmental harm or nuisance.

Background Information

The following comments are from the Manager of Planning & Development, Mr Shane Great:

Proposal:

The land is zoned 'Rural' and has a preliminary approval to use the land for uses consistent with the 'Village' zone. This allows the land to be subdivided into residential sized lots consistent with the 'Village' zone. The proposal triggers a 'code assessable' development application for Reconfiguring a Lot. The applicable code in this particular development

application is the Reconfiguration of a Lot (ROL) Code under the provisions of the Burdekin Shire Council's IPA Planning Scheme.

The proposed development is for a Reconfiguration of a Lot being Stage 2 of an existing residential subdivision approved by the Burdekin Shire Council on 12 May, 2009. The reconfiguring a lot involves the subdivision of a balance area 1 lot into 31 lots to create additional vacant lots. Stage 2 is located south of the completed Stage 1 being adjacent Burstall Road providing the main entry into the subdivision via Burstall Boulevard. The proposed stage continues Mulberry Circuit south. The stage offers a mix of allotment sizes ranging from 720m² – 1617m² therefore complying with the minimum lot size of the Village Zone.

The proposed development is able to be appropriately serviced by connecting to existing infrastructure. All proposed lots will be in accordance with Council's Planning Scheme in that they will have areas greater than 500m² and frontage to a road of more than 15m in width.

Site Description/Surrounding Land Uses:

The subject property is located on a relatively flat parcel of land on the corner of Beach Road and Burstall Road to the north of Ayr. A mix of new residential housing, rural residential and intensive agriculture in the form of sugar cane farms are in close proximity to the proposed reconfiguration.

Conclusion:

Council's Development Assessment Team members have assessed the application and have included reasonable and relevant conditions as part of the recommended approval. Given that the proposal complies with the provisions contained in Council's IPA Planning Scheme and the fact that it is part of an existing staged development, it is recommended that Council approves the application subject to the abovementioned conditions.

Link to Corporate/Operational Plan

N/A

Consultation

All relative Council departments have been consulted, there was no external consultation required for this application.

Legal Authority or Implications

N/A

Policy Implications

N/A

Financial and Resource Implications

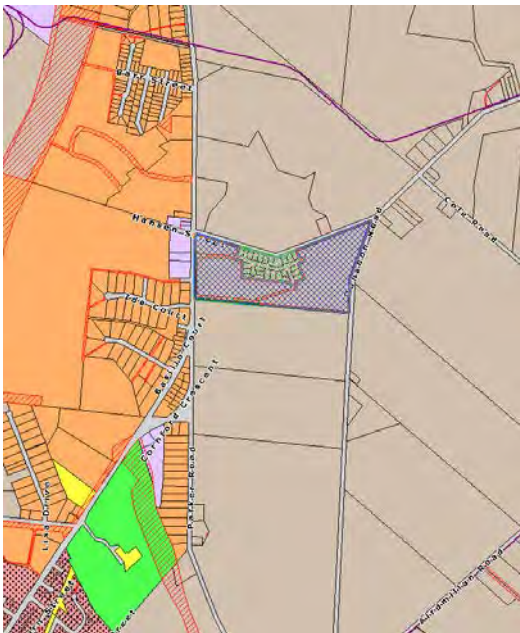
N/A

Report prepared by:

S Great – Manager Planning and Development

Report authorised by:
S Great – Manager Planning and Development

Attachments



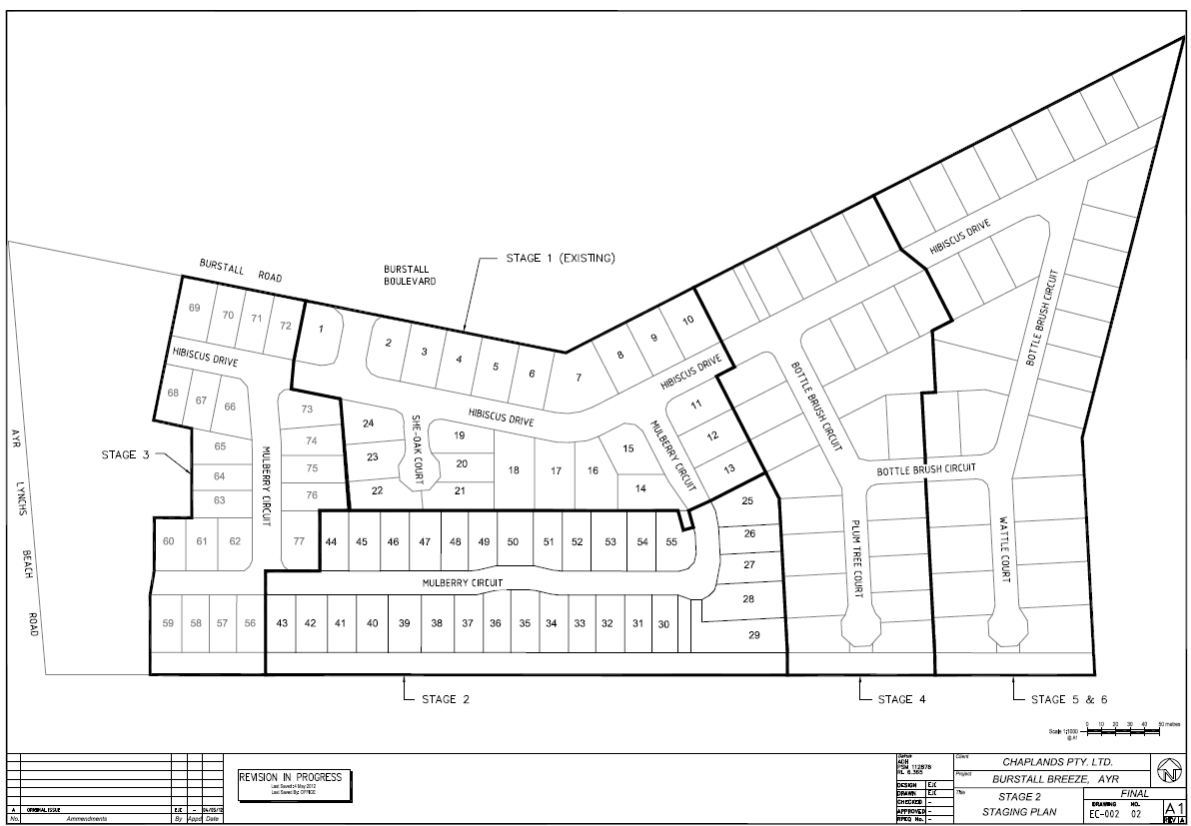
Planning Scheme

- Rural
- Rural Industry Sub Area
- Rural Nature Based Recreation Sub Area
- Rural Settlement Sub Area
- Residential
- Residential Low Density Sub Area

Zone Map

- Retail and Commercial
- Industrial
- Extractive Industry Sub Area
- Industry Investigation Sub Area
- Public Purpose
- Community Infrastructure Designation
- Village
- Open Space & Recreation





6 CORPORATE & COMMUNITY SERVICES

6.1 Contribution towards 2012 Tastes of the Burdekin and Burdekin Water Festival

Document Information

Referring Letter No: 1176596

File No: 03-08-11E

Name of Applicant: Burdekin Water Festival Committee

Location: N/A

Author and Title: Tony Vaccaro, Economic and Community Development Manager

Executive Summary

The Burdekin Water Festival Committee requested financial and in-kind assistance towards the 2012 Tastes of the Burdekin and Burdekin Water Festival. Last year, Council donated \$4000 plus in kind support to the value of \$3000 towards Tastes of the Burdekin and \$5000 plus in kind support to the value of \$3000 towards the Burdekin Water Festival. Tastes of the Burdekin has grown in participation numbers over the past few years and is now the festival's main signature event and is considered worthy of its own additional support.

Recommendation

Council approves a donation of \$4000.00 (inc. GST) and up to \$3000.00 in kind support towards the 2012 Tastes of the Burdekin and a donation of \$5000.00 (inc. GST) and up to \$3000.00 in-kind support towards the 2012 Burdekin Water Festival.

Background Information

Council has supported the Burdekin Water Festival for numerous years. In-kind support for the Festival includes the erection and dismantling of road closure signs, street sweeping, assisting with setting up pop up tents, stage, waste bins, tables and chairs.

The Committee has provided an estimate of attendance numbers for last year's Festival. An estimated number of 15,000 people attended the week-long festivities. These numbers were achieved with limited financial support and a very small group of volunteers who worked tirelessly for months to organise the week-long celebrations.

In the past, Council has made one contribution to the Burdekin Water Festival and Tastes of the Burdekin, however, last year, as participation numbers for Tastes of the Burdekin had grown, Council considered it worthy of its own additional support.

Participation numbers for Tastes of the Burdekin have continued to grow each year and it is estimated that approximately 4000 people attended the event in 2011. Tastes of the

Burdekin include a food festival, cooking demonstrations, master chef classes, wearable art competition, live entertainment and a celebrity chef cocktail party.

Tastes of the Burdekin has proven that the event can attract visitors, showcase local fresh produce and promote the Burdekin as a vibrant, interesting and economically sound community. In 2010, the event attracted Channel Seven film crew and the district was promoted nationally through television programs "Queenslander Weekender" and television series "Off the Eaten Track".

The committee has requested funding towards the event to assist with marketing and advertising the event throughout the region as well as in-kind support through road closures and assistance with event set-up, dismantling and street sweeping following the event.

Given the ongoing success and significant economic value of these two events, I recommend that Council continue its annual sponsorship towards the events.

Link to Corporate/Operational Plan

6.6 Encourage and support community events.

Consultation

Discussions with Water Festival Representatives.

Legal Authority or Implications

Nil

Policy Implications

Nil

Financial and Resource Implications

The Economic Development budget has sufficient funds to cover the contribution of \$9000.00 (inc. GST)

Report prepared by:

Tony Vaccaro
(Economic and Community Development Manager)

Report authorised by:

Mr. Ken Holt
(Chief Executive Officer)

6.2 Alteration to Deed between Council and JR & OM Breadsell

Document Information

Referring Letter No: 1166225

File No: 2011 Sub & Sub 07/14 & 3/4/1

Name of Applicant: James & Olive Breadsell

Location: Lots 72 & 73 on Plan A2658

Author and Title: Matthew Ingle – Design Office Manager

Executive Summary

Alteration to Deed between Council and JR & OM Breadsell.

Recommendation

Council resolves to change the location of the drainage path referenced in the deed as requested by JR & OM Breadsell.

Background Information

In October 2007, Council entered into a deed with James and Olive Breadsell of Albert Street Ayr which set out to protect existing drainage paths through lots 72 and 73 in plan A2658 at south Ayr.

An open drain was established along the line shown on a map attached to the deed. This line ran from the south eastern corner of Lot 72, crossed both lots 72 and 73, and finished at the north western corner of lot 73.

Groves and Clark, Solicitors have requested, on behalf of Mr and Mrs Breadsell, to amend the drainage route to run from the south eastern corner of lot 72, along the eastern boundary of lot 72 and along the northern boundaries of lots 72 and 73 to the north western corner of lot 73. This route is about 355m long as opposed to the original at 255m long. An open drain has been constructed along the new route.

Link to Corporate/Operational Plan

N/A

Consultation

N/A

Legal Authority or Implications

N/A

Policy Implications

N/A

Financial and Resource Implications

N/A

Report prepared by:

Matthew Ingle – Design Office Manager

Report authorised by:

Kevin Byers – Manager Technical Services

Attachments



6.3 Second Amended Budget for 2011/12

Document Information

Referring Letter No: N/A

File No: 02-02-04

Name of Applicant: N/A

Location: N/A

Author and Title: Terry Cross, Manager Financial Services

Executive Summary

An amended budget for the 2011/12 financial year is submitted for adoption to better reflect estimates of income and expenditure for the year.

Recommendation

That the amended budget and report for the period ending 30th June, 2012 as tabled be adopted.

Background Information

The amended budget is based on best estimates of expenditure and income as provided by the relevant Directors and Managers.

To some degree, the principle of conservatism is practised when estimating so that final actual expenditures are less than the estimates and final actual incomes are more than the estimates.

Financial Analysis

A review of the amended budget raises the following matters:

1. An amended operating surplus of \$3,532,854 compares with the original budget surplus of \$1,953,858. An operating surplus or deficit is a performance measure for the period indicative of how well council's ordinary (day to day) activities are funded. The operating surplus or deficit also indicates council's sustainability.
2. An amended retained surplus of \$37,274 compares with the original budget retained surplus of \$13,786.
3. Estimated debt at 30 June, 2012 remains at \$8.4M.

-
- a. Funded depreciation, other capital reserves and internal borrowings are to be used to support the infrastructure expenditure.
 - b. Using internal capital funds for capital projects is financially advantageous and supports council's future capacity to borrow externally.
4. Total amended capital asset acquisitions of \$25.41M compares with the original budget of \$14.39M.
- a. The carryover and new capital expenditure indicates that the council is allocating funds for asset refurbishment and replacement as well as new acquisitions to maintain and improve the council's capital base for provision of services to the community.

Major Variances

The major variances in the amended budget are:

Revenue

- \$8,016,813 decrease in operating grants, subsidies and contributions results from an accounting and engineering reassessment for NDRRA (Natural Disaster Relief and Recovery Arrangements) flood projects between current and capital incomes offset by a net adjustment for early payment of 2013 Commonwealth Financial Assistance Grants (FAGS) to be made in June 2012 and the final approved FAGS for 2012 for general operations and roads
- \$720,000 increase in sales of contract and recoverable works for additional Main Roads maintenance works for State government

Expenses

- \$1,981,373 decrease in employee benefits results from the accounting and engineering reassessment of work on NDRRA flood projects between current and capital expenditures offset by increase in Main Roads work wages expense
- \$6,022,403 decrease in materials and services results from the accounting and engineering reassessment of work on NDRRA flood projects between current and capital expenditures offset by an increase in Main Roads works materials expense

Capital income

- \$10,096,813 increase in capital grants and subsidies for additional and adjusted grants for NDRRA flood projects resulting from the accounting and engineering reassessment between current and capital works

Capital expense

- \$795,500 increase results from the necessary accounting treatment of sales of Ayr industrial land blocks to existing adjacent landholders whereby market values were offset for improvements implemented by those landholders

Depreciation

The depreciation expense was marginally reduced compared with the original estimates.

Depreciation expenses are likely to increase in future due to expected construction and material costs rises affecting asset valuations and as new assets are commissioned for the community.

This is an issue that council keeps in mind for future budgets. The increasing costs to maintain existing assets reduces funds available for other purposes, including new capital works, unless additional revenue, grant or loan funds are identified and obtained.

Forecast years

At this time, the forecasts for the next 2 financial years of 2012/13 and 2013/14 will continue to be affected by ongoing NDRRA flood projects and have been reviewed accordingly. These forecasts undergo more detailed review during Council's annual budget process usually completed in June.

Measures of financial sustainability (Financial Ratios of the Budget)

The budget and any amended budget must include each of the relevant measures of financial sustainability for the financial year for which it is prepared and the next 9 financial years.

These ratios are based on and result from Council's current amended budget and the next 9 forecast years. Thus they reflect the forecast expectations of the preceding paragraph.

Link to Corporate/Operational Plan

Strategy 1.7 - Ensure effective corporate governance through compliance with legislation and adoption of risk management strategies.

Consultation

Amended Budget has been prepared in accordance with estimates provided by Directors and Managers.

Legal Authority or Implications

Local Government Act 2009

Section 104 Financial management, planning and accountability documents

This section includes the requirement for an annual budget as a financial management document.

Local Government (Finance, Plans and Reporting) Regulation 2010

Section 99 Budget contents

Section 100 Adoption and amendment of the budget

These sections specify the contents of any budget or amended budget and that the local government may, by resolution, amend the budget for a financial year at any time before the end of the financial year.

Policy Implications

N/A

Financial and Resource Implications

Refer to content of report

Report prepared by:

Terry Cross, Manager Financial Services

Report authorised by:

Dan Mulcahy, Director Corporate and Community Services

Attachments

1. Budget Statements for adoption RBUD2 – 11-12

BURDEKIN SHIRE COUNCIL**Budgeted Statement of Comprehensive Income**

For the periods ending 30 June

	2011/12	2011/12	2012/13	2013/14
	Original Budget	Revised Budget	Revised Budget	Revised Budget
	\$	\$	\$	\$
Revenue				
Rates and utility charges	33,800,090	34,092,208	36,455,384	38,714,214
Less Discounts & Pensioner remissions	-3,373,034	-3,405,930	-3,622,733	-3,841,841
Net rates and utility charges	30,427,056	30,686,278	32,832,651	34,872,373
User fees and charges	2,321,295	2,397,362	2,517,229	2,643,088
Operating grants, subsidies and contributions	14,401,551	6,384,738	5,052,896	4,047,033
Interest revenue	1,587,000	1,839,619	1,590,519	1,691,019
Sales of contract and recoverable works	1,400,000	2,120,000	1,249,500	1,311,975
Other Income	176,196	248,397	260,815	273,854
TOTAL OPERATING REVENUES	50,313,098	43,676,394	43,503,610	44,839,342
Expenses				
Employee benefits	-18,256,120	-16,274,747	-16,634,170	-17,195,949
Materials and services	-21,554,367	-15,531,964	-15,404,784	-16,355,000
Depreciation and Amortisation	-7,976,451	-7,806,141	-8,583,457	-9,338,155
Finance Costs	-572,302	-530,688	-610,638	-680,578
TOTAL OPERATING EXPENSES	-48,359,240	-40,143,540	-41,233,049	-43,569,682
Operating surplus (deficit)	1,953,858	3,532,854	2,270,561	1,269,660
Capital income and expenditure:				
Cash capital grants, subsidies and contributions	3,702,489	13,799,302	11,126,153	4,991,647
Other capital expense		-795,500		
Net result for the period	5,656,347	16,536,656	13,396,714	6,261,307

BURDEKIN SHIRE COUNCIL**Budgeted Statement of Financial Position**

As at the periods ending 30 June

	2011/12 Original Budget \$	2011/12 Revised Budget \$	2012/13 Revised Budget \$	2013/14 Revised Budget \$
Current Assets				
Cash and deposits	17,136,417	24,642,341	24,010,250	23,468,862
Receivables	2,550,418	3,135,825	3,135,825	3,135,825
Inventories	1,157,916	1,014,805	1,014,805	1,014,805
Other financial assets	188,099	211,834	211,834	211,834
	21,032,850	29,004,805	28,372,714	27,831,326
Non-Current Assets				
Receivables	254,660	300,160	300,160	300,160
Other financial assets	1,536	1,473	1,473	1,473
Property, plant and equipment	413,589,688	420,359,072	436,043,495	443,401,978
Intangible assets	1,122,963	885,680	993,284	880,223
Capital Work in Progress	4,917,122	3,683,952	3,683,952	3,683,952
	419,885,969	425,230,337	441,022,364	448,267,786
TOTAL ASSETS	440,918,819	454,235,142	469,395,078	476,099,112
Current Liabilities				
Trade and other payables	3,030,988	4,371,850	4,371,850	4,371,850
Interest bearing liabilities		1,566,772	1,723,729	1,629,818
Provisions	460,059	101,046	101,046	101,046
Other	3,082	1,197	1,197	1,197
	3,494,129	6,040,865	6,197,822	6,103,911
Non-Current Liabilities				
Trade and other payables	429,756	440,375	440,375	440,375
Interest bearing liabilities	8,376,084	6,834,875	8,441,140	8,977,778
Provisions	9,243,591	9,804,374	9,804,374	9,804,374
	18,049,431	17,079,624	18,685,889	19,222,527
TOTAL LIABILITIES	21,543,560	23,120,489	24,883,711	25,326,438
NET COMMUNITY ASSETS	419,375,259	431,114,653	444,511,367	450,772,674
Community Equity				
Investment in capital assets	155,654,722	162,932,456	176,971,802	183,785,038
Future Capital Sustainability Reserve	8,912,771	10,250,703	10,017,432	11,017,685
Unspent Loan Funds Reserve		941,232	69,430	
Asset revaluation reserve	248,045,690	245,863,899	245,863,899	245,863,899
Other reserves	6,748,290	11,089,089	11,580,263	10,102,138
Accumulated Surplus/(Deficiency)	13,786	37,274	8,541	3,914
TOTAL COMMUNITY EQUITY	419,375,259	431,114,653	444,511,367	450,772,674

BURDEKIN SHIRE COUNCIL**Budgeted Statement of Cash Flows**

For the periods ending 30 June

	2011/12	2011/12	2012/13	2013/14
	Original Budget	Revised Budget	Revised Budget	Revised Budget
	\$	\$	\$	\$
Cash Flows from Operating Activities				
Receipts				
Net rates and utility charges	30,427,056	30,686,278	32,832,651	34,872,373
Total fees and charges	2,321,295	2,397,362	2,517,229	2,643,088
Sales of contract and recoverable works	1,400,000	2,120,000	1,249,500	1,311,975
Interest revenue	1,587,000	1,839,619	1,590,519	1,691,019
Contributions and donations	148,639	204,713	214,947	225,692
Government subsidies and grants	14,252,912	6,180,025	4,837,949	3,821,341
Other Income	176,196	248,397	260,815	273,854
	50,313,098	43,676,394	43,503,610	44,839,342
Payments				
Employee benefits	-18,119,120	-16,172,227	-16,634,170	-17,195,949
Materials and services	-21,554,367	-15,531,964	-15,404,784	-16,355,000
Finance costs	-572,302	-530,688	-610,638	-680,578
	-40,245,789	-32,234,879	-32,649,592	-34,231,527
Cash provided by / (used in) operational activities	10,067,309	11,441,515	10,854,018	10,607,815
Cash Flow from Investing Activities :				
Proceeds from sale of capital assets	470,000	558,433	525,157	480,000
Contributions		86,830		
Government grants and subsidies	3,702,489	13,712,472	11,126,153	4,991,647
Payments for property, plant and equipment	-14,237,691	-25,188,636	-24,673,586	-17,057,577
Payments for intangibles	-157,300	-224,772	-227,055	-6,000
Net proceeds (cost) from advances and cash investments		1,000,000		
Net cash provided by investing activities	-10,222,502	-10,055,673	-13,249,331	-11,591,930
Cash Flow from Financing Activities :				
Proceeds from borrowings	1,400,000	1,400,000	3,450,000	2,250,000
Repayment of borrowings	-1,883,629	-1,849,913	-1,686,778	-1,807,273
Net cash provided by financing activities	-483,629	-449,913	1,763,222	442,727
Net Increase (Decrease) in Cash Held	-638,822	935,929	-632,091	-541,388
Cash at beginning of reporting period	17,775,239	23,706,412	24,642,341	24,010,250
Cash at end of Reporting Period	17,136,417	24,642,341	24,010,250	23,468,862

BURDEKIN SHIRE COUNCIL

Budgeted Statement of Changes in Equity

For the periods ending 30 June

	Total				Retained Surplus/Deficit				Capital			
	2011/12	2011/12	2012/13	2013/14	2011/12	2011/12	2012/13	2013/14	2011/12	2011/12	2012/13	2013/14
	OBUD	RBUD	RBUD	RBUD	OBUD	RBUD	RBUD	RBUD	OBUD	RBUD	RBUD	RBUD
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Balance at the beginning of period	413,718,912	414,577,997	431,114,653	444,511,367	43,864	20,925	37,274	8,541	158,759,072	157,905,536	174,124,391	187,058,664
Increase (decrease) in net result	5,656,347	16,536,656	13,396,714	6,261,307	5,656,347	16,536,656	13,396,714	6,261,307				
Other transfers to Capital and reserves					-6,071,358	-19,987,611	-13,425,447	-6,532,460	565,165	1,712,725	202,201	552,412
Transfers from capital and reserves					384,933	3,467,304		266,526		-795,500		
Transfers between capital and reserves									5,243,256	15,301,630	12,732,072	7,191,647
Balance at the end of period	419,375,259	431,114,653	444,511,367	450,772,674	13,786	37,274	8,541	3,914	164,567,493	174,124,391	187,058,664	194,802,723

	Asset Revaluation Reserve				Other Reserves			
	2011/12	2011/12	2012/13	2013/14	2011/12	2011/12	2012/13	2013/14
	OBUD	RBUD	RBUD	RBUD	OBUD	RBUD	RBUD	RBUD
	\$	\$	\$	\$	\$	\$	\$	\$
Balance at the beginning of period	248,045,690	245,863,899	245,863,899	245,863,899	6,870,286	10,787,637	11,089,089	11,580,263
Increase (decrease) in net result								
Transfers to Capital and reserves					5,506,193	18,274,886	13,223,246	5,980,048
Transfers from capital and reserves					-384,933	-2,671,804		-266,526
Transfers between capital and reserves					-5,243,256	-15,301,630	-12,732,072	-7,191,647
Balance at the end of period	248,045,690	245,863,899	245,863,899	245,863,899	6,748,290	11,089,089	11,580,263	10,102,138

BURDEKIN SHIRE COUNCIL**Financial Ratios of the Budget**

For the year ended 30 June :

	2011/12	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
	OBUD	RBUD	RBUD	RBUD	RBUD	RBUD	RBUD	RBUD	RBUD	RBUD	RBUD
	%	%	%	%	%	%	%	%	%	%	%
Asset Sustainability Ratio											
<u>Expenditure on Replacement Assets</u>											
Funded Depreciation for year	91.7%	212.4%	164.2%	124.4%	94.7%	81.0%	75.6%	76.7%	70.7%	68.9%	63.5%
The extent to which current year replacements are funded from current year depreciation											
Asset Consumption Ratio											
<u>Written down value of infrastructure assets</u>	77.4%	79.5%	79.2%	77.3%	76.3%	75.1%	74.4%	73.4%	71.8%	71.0%	69.7%
Replacement cost of infrastructure assets											
The written down current value of Council's depreciable assets relative to their as new value in up to date prices											
Interest coverage ratio											
<u>Net interest expense on debt service</u>											
Total Operating Revenue	-2.1%	-3.1%	-2.3%	-2.4%	-2.0%	-1.8%	-1.7%	-1.6%	-1.6%	-1.7%	-1.8%
Indicates the extent to which Council's operating revenues are committed to net interest expense											
Debt Payment Ratio :											
<u>Debt servicing & redemption cost</u>											
Total operating revenue	4.8%	5.4%	5.2%	5.5%	5.6%	5.9%	6.3%	6.4%	6.7%	6.8%	7.0%
Extent to which total operating revenue services Council's interest and redemption											
Operating Surplus Ratio											
<u>Net operating surplus</u>											
Total operating revenue	3.9%	8.1%	5.2%	2.8%	2.6%	1.5%	1.7%	1.5%	1.3%	0.7%	1.0%
Extent to which operating revenue covers operational expenses.											
A ratio >0% indicates an operating surplus, these funds are available to maintain or increase council's capital value											
A ratio <0% indicates an operating loss, results in opening capital value declining which has future sustainability issues.											
Revenue Ratio :											
<u>Rate revenue</u>											
Total revenue	60.5%	70.3%	75.5%	77.8%	78.4%	78.7%	79.0%	79.4%	79.5%	79.6%	79.8%
The extent to which Council's total revenue is funded by rates and charges											

BURDEKIN SHIRE COUNCIL

Financial Ratios of the Budget

For the year ended 30 June :

	2011/12	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
	OBUD	RBUD	RBUD	RBUD	RBUD	RBUD	RBUD	RBUD	RBUD	RBUD	RBUD
	%	%	%	%	%	%	%	%	%	%	%
Working Capital Ratio :											
<u>Current assets</u>											
Current liabilities	6.0 : 1	4.8 : 1	4.6 : 1	4.6 : 1	4.8 : 1	4.9 : 1	5.2 : 1	5.5 : 1	6.0 : 1	6.5 : 1	7.2 : 1
Measures the extent to which Council has liquid assets available to meet short term financial obligations											
Level of Debt											
<u>Total liabilities</u>											
Total assets	4.9%	5.1%	5.3%	5.3%	5.8%	6.0%	6.4%	6.8%	7.0%	7.3%	7.4%
Measures the extent to which total assets are funded from loan											
Net Financial Liabilities Ratio											
<u>Total liabilities-current assets</u>											
Operating Revenue	1.0%	-13.5%	-8.0%	-5.6%	-2.1%	-1.8%	-0.9%	0.0%	-3.4%	-5.4%	-10.4%
Measures the extent to which the net financial liabilities of Council can be services by operating revenues											
All Rates/Total Operating Costs	62.9%	76.4%	79.6%	80.0%	80.5%	79.9%	80.4%	80.6%	80.6%	80.2%	80.6%
Indicates extent of total operating costs that are funded by current rates and charges											
Net rates & utility charges original budget prior year	28,902,450	28,902,450	30,686,278	32,832,651	34,872,373	37,200,409	39,419,572	41,866,591	44,681,812	47,095,628	49,774,357
Net rates & utility charges budgeted for current year	<u>30,427,056</u>	<u>30,686,278</u>	<u>32,832,651</u>	<u>34,872,373</u>	<u>37,200,409</u>	<u>39,419,572</u>	<u>41,866,591</u>	<u>44,681,812</u>	<u>47,095,628</u>	<u>49,774,357</u>	<u>52,749,571</u>
Change rates and utility chages net of discounts	<u>1,524,606</u>	<u>1,783,828</u>	<u>2,146,373</u>	<u>2,039,722</u>	<u>2,328,036</u>	<u>2,219,163</u>	<u>2,447,019</u>	<u>2,815,221</u>	<u>2,413,816</u>	<u>2,678,729</u>	<u>2,975,214</u>
Percentage change	5.3%	6.2%	7.0%	6.2%	6.7%	6.0%	6.2%	6.7%	5.4%	5.7%	6.0%

6.4 Councillor Expenses Reimbursement Policy

Document Information

Referring Letter No: N/A

File No: POL REG

Name of Applicant: N/A

Location: N/A

Author and Title: Ken Holt, CEO

Executive Summary

The Councillor Expenses Reimbursement Policy has been updated as part of an extensive review of Council's policies.

References to legislation have been updated and the layout of the policy has been updated to be consistent with the new policy template.

Recommendation

Council adopts the amended Councillor Expenses Reimbursement Policy.

Background Information

The Councillor Expenses Reimbursement Policy has been updated as part of an extensive review of Council's policies. A new policy template, created to ensure consistency across all policy documents, is applied to all new and updated policies.

The existing policy was adopted on 23 September 2008 in accordance with section 250AR of the Local Government Act 1993. Chapter 5, part 1, division 2 of the Local Government (Operations) Regulation 2010 now contains this provision.

Link to Corporate/Operational Plan

This policy supports the Burdekin Shire Council 2011-2016 Corporate Plan Strategy 1.7 - Ensure effective corporate governance through compliance with legislation and adoption of risk management strategies.

Consultation

N/A

Legal Authority or Implications

The Local Government (Operations) Regulation 2010 requires that Council adopt a Councillor Expenses Reimbursement Policy.

Policy Implications

This is an update to an existing policy.

Financial and Resource Implications

Any changes to eligible expenditure will have financial implications.

Report prepared by:

Beth Whitworth – Executive Officer

Report authorised by:

Ken Holt - CEO

Attachments

1. Councillor Expenses Reimbursement Policy



Councillor Expenses Reimbursement Policy

Commencement Date: 23 September 2008

Function: Governance

RESPONSIBILITIES

Policy Owner	Chief Executive Officer
Policy Contact	Director Corporate and Community Services
Approval Authority	Council
Next Review Date	<D Month YYYY>

REVISION HISTORY

Rev	Status	Date	Approver / Meeting	Resolution / Document No.
0	Adopted	23/08/2008	Council – Ordinary Meeting	
1	DRAFT			

1 PURPOSE

In accordance with section 44(2) of the *Local Government (Operations) Regulation 2010*, this policy provides for:

- payment of reasonable expenses incurred, or to be incurred, by councillors for discharging their duties and responsibilities as councillors, and
- provision of facilities to the councillors for that purpose.

2 SCOPE

It is the responsibility of the council to use its discretion and decide what expenses and facilities are required by councillors in carrying out their civic responsibilities, taking into account the role of the councillor, the council's annual budget and community expectations.

Council must be mindful of the principles set out in the guidelines and the legislative requirements of the Act when determining legitimate types of expenses and facilities for councillors.

3 DEFINITIONS

'Council business' means official business conducted on behalf of, and approved by, the council where a councillor is required to undertake certain tasks to satisfy legislative requirements or achieve business continuity for the council.

Acknowledging the role of the mayor as spokesperson for the council, Council business includes the mayor's attendance at community events and community groups and all other forms of contact with the community or clients of the council.

Council business does not include a councillor participating in a community event or being a representative on a board or organisation where such participation or representation has not been approved by Council.

'expenses' are payments made by Council to reimburse councillors for their reasonable expenses incurred or to be incurred when discharging their duties as councillors. These payments are not regarded as remuneration. The expenses may be either reimbursed to councillors or paid direct by Council for something that is deemed a necessary cost or charge when performing their roles.

'facility' means a tool of trade provided by Council to councillors to enable them to perform their duties with relative ease and at a standard appropriate to fulfil their professional role for the community.

'reasonable' is what Council, in its sound judgement, considers prudent, responsible and acceptable to the community. The community expects limits and does not want to see excessive use or abuse of public funds.

4 POLICY STATEMENT

4.1 Expenses Reimbursement

Expenses will be paid to a councillor through administrative processes approved by the Chief Executive Officer and subject to:

- any limits outlined in this policy; and
- compliance with this policy.

Where possible, all approved expenditure shall be covered by council order or purchase card, thereby eliminating the need for reimbursement.

The extent of expenses that may be reimbursed is included in the table below.

<i>Representing Council</i>	Where Council resolves councillors are required to attend conferences, workshops or functions, Council shall reimburse reasonable expenses associated with attending the event. <i>Reasonable expenses include travel costs, accommodation, meals and registration fees.</i>
<i>Travel Costs</i>	Councillors may incur travel costs for a number of reasons including attendance at council meetings, conferences, workshops or functions. In some cases this may involve interstate travel. <i>Examples include: airlift, train, taxi, bus and ferry.</i> If councillors travel using their private vehicles a mileage allowance can be claimed subject to: <ul style="list-style-type: none"> ▪ travel type has been endorsed by Council; ▪ mileage is recorded in a manner approved by the chief executive officer. The amount reimbursed will be based on the mileage rate in the Queensland Local Government Officers Award. Travel types endorsed by council include: <ul style="list-style-type: none"> ▪ attendance at ordinary council meetings; ▪ attendance at conferences, workshops or functions approved by council. Attendance at inspections is not an approved travel type. Councillors are to travel via the most direct route, using the most economical and efficient mode of transport. Economy class is to be used where possible although Council may approve business class in certain circumstances. <i>Note: any fines incurred while travelling in Council owned vehicles or privately owned vehicles when attending to Council business will be the responsibility of the councillor incurring the fine.</i>
<i>Accommodation</i>	Councillors may need to stay away overnight while attending to Council business. When attending conferences, councillors must normally take advantage of the package provided by conference organisers unless alternative accommodation is more advantageous. In all other cases Council must decide legitimate accommodation costs to be reimbursed.
<i>Meals</i>	Council shall reimburse actual costs of meals for a councillor when the meal was not provided: <ul style="list-style-type: none"> ▪ within the registration costs of the approved event; or ▪ during an approved flight. Any meal reimbursement shall not be more than \$40 per meal or more than \$80 per day. No alcohol will be reimbursed by Council.
<i>Hospitality Expenses for Mayor</i>	Mayors may have occasion to incur hospitality expenses while conducting Council business apart from official civic receptions organised by Council. The maximum amount of hospitality expenses that may be reimbursed to the Mayor is \$1,000 per annum.
<i>Professional Development Needs</i>	Where Council resolves that councillors are to attend training courses, conferences or workshops for skills development related to the councillor's role, the council shall reimburse the total costs of the course including travel, accommodation and meals if applicable.

4.2 Provision of Facilities

All facilities provided to councillors remain the property of Burdekin Shire Council and must be returned to Council when a councillor's term expires. The facilities to be provided are included in the table below.

The facilities provided to councillors by Council are to be used primarily for Council business purposes. Personal use is not forbidden, but such use must be limited and not affect work performance, IT network capacity, or compromise the security or reputation of Burdekin Shire Council.

Administrative Tools	<p><i>Administrative tools should be provided to councillors as required to assist councillors in their role.</i></p> <p><i>Administrative tools include:</i></p> <ul style="list-style-type: none"> ▪ office space and meeting rooms ▪ computers ▪ stationery ▪ access to photocopiers ▪ printers ▪ facsimile machines ▪ publications ▪ use of Council landline telephones and internet access in Council offices <p><i>Secretarial support shall be provided for the mayor.</i></p>
Home Office	<i>Councillors shall be provided with a laptop computer. A printer will be provided on request where a councillor does not have an existing home printer.</i>
Telecommunications	<i>Council shall provide a mobile phone to the Mayor for Council business use and minor private use.</i>
Maintenance costs of any council owned equipment	<p><i>Council will be responsible for the ongoing maintenance and reasonable wear and tear costs of Council-owned equipment that is supplied to councillors for official business use.</i></p> <p><i>This includes the replacement of any facilities which fall under Council's asset replacement program.</i></p>
Personal equipment	<i>Council shall provide councillors with the necessary safety equipment for use on Council business (e.g. safety helmet /boots/vests).</i>
Vehicle	<p><i>Council may provide a Council owned vehicle to a councillor to use for Council business.</i></p> <p><i>Council shall provide a Council owned vehicle to the mayor to use for Council business and private use.</i></p>
Legal costs and Insurance cover	<p><i>Councillors shall be insured in the event of injury sustained while discharging their civic duties. Personal Accident insurance cover shall be provided.</i></p> <p><i>Specific insurance covers to be provided include public liability, councillors & officers liability and statutory liability.</i></p> <p><i>Council may decide by resolution to cover the costs incurred through any inquiry, investigation, hearing or legal proceedings into the conduct of a councillor, or arising out of, or in connection with the councillor's performance of his/her civic duties.</i></p>
Fuel costs	<i>Fuel for a Council-owned vehicle used for official Council business, will be provided or paid for by Council.</i>

4.3 Monitoring and Controls

Receipts must be produced before a reimbursement will be made. Claims and reimbursements are to be approved by the Mayor.

Councillors should be aware if they fail to comply with Council's Expenses Reimbursement Policy or misappropriate expenses or facilities, they may be committing an offence under the *Criminal Code 1899* and/or a breach of Council's Code of Conduct.

5 PRINCIPLES

In accordance with section 45(2) of the *Local Government (Operations) Regulation 2010*, this policy is consistent with the local government principles provided in the *Local Government Act 2009*. The local government principles are:

- transparent and effective processes, and decision-making in the public interest
- sustainable development and management of assets and infrastructure, and delivery of effective services

-
- democratic representation, social inclusion and meaningful community engagement
 - good governance of, and by, local government
 - ethical and legal behaviour of councillors and local government employees

6 LEGISLATION

Local Government Act 2009

Local Government (Operations) Regulation 2010

7 ASSOCIATED DOCUMENTS

Entertainment and Hospitality Policy

6.5 Making of Local Laws

Document Information

Referring Letter No: 1168412

File No: 01-08-06

Name of Applicant: N/A

Location: N/A

Author and Title: Dan Mulcahy, Director of Corporate and Community Services

Executive Summary

Council has received a letter from the Minister under section 29A(4) of the Local Government Act 2009 advising that Council may proceed further in making its proposed “other” local laws without the need to satisfy any conditions.

As part of Council’s local law and subordinate local law making process, Council needs to resolve to make each proposed local law and subordinate local law.

King and Company Solicitors have provided the resolutions dealing with making each proposed local law and subordinate local law, incorporating any necessary amendments to those previously considered.

Recommendation

Council resolves to—

- (a) satisfy the conditions (if any) imposed by the Minister about each proposed “other” local law of Council under section 29A(4) of the Local Government Act 2009; and
- (b) make each proposed local law listed in schedule 1 as advertised; and
- (c) adopt each proposed model local law listed in schedule 2; and
- (d) make each proposed subordinate local law listed in schedule 3 as advertised; and
- (e) make each proposed local law listed in schedule 4 with amendments as particularised in schedule 4; and
- (f) make each proposed subordinate local law listed in schedule 5 with amendments as particularised in schedule 5.

SCHEDULE 1

1. Local Law (Repealing) Local Law (No. 1) 2012 (formerly Local Law (Repealing) Local Law (No. 1) 2011);
2. Local Law No. 2 (Animal Management) 2012 (formerly Local Law No. 2 (Animal Management) 2011);
3. Local Law No. 7 (Aerodromes) 2012 (formerly Local Law No. 7 (Aerodromes) 2011).

SCHEDULE 2

1. Model Local Law No. 5 (Parking) 2010, to be known as Local Law No. 5 (Parking) 2012;
2. Model Local Law No. 6 (Bathing Reserves) 2010, to be known as Local Law No. 6 (Bathing Reserves) 2012.

SCHEDULE 3

1. Subordinate Local Law No. 1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2012 (formerly Subordinate Local Law No. 1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2011);
2. Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2012 (formerly Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2011);
3. Subordinate Local Law No. 1.3 (Establishment or Occupation of a Temporary Home) 2012 (formerly Subordinate Local Law No. 1.3 (Establishment or Occupation of a Temporary Home) 2011);
4. Subordinate Local Law No. 1.5 (Keeping of Animals) 2012 (formerly Subordinate Local Law No. 1.5 (Keeping of Animals) 2011);
5. Subordinate Local Law No. 1.6 (Operation of Camping Grounds) 2012 (formerly Subordinate Local Law No. 1.6 (Operation of Camping Grounds) 2011);
6. Subordinate Local Law No. 1.7 (Operation of Cane Railways) 2012 (formerly Subordinate Local Law No. 1.7 (Operation of Cane Railways) 2011);
7. Subordinate Local Law No. 1.8 (Operation of Caravan Parks) 2012 (formerly Subordinate Local Law No. 1.8 (Operation of Caravan Parks) 2011);
8. Subordinate Local Law No. 1.9 (Operation of Cemeteries) 2012 (formerly Subordinate Local Law No. 1.9 (Operation of Cemeteries) 2011);
9. Subordinate Local Law No. 1.10 (Operation of Public Swimming Pools) 2012 (formerly Subordinate Local Law No. 1.10 (Operation of Public Swimming Pools) 2011);
10. Subordinate Local Law No. 1.12 (Operation of Temporary Entertainment Events) 2012 (formerly Subordinate Local Law No. 1.12 (Operation of Temporary Entertainment Events) 2011);

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11. Subordinate Local Law No. 1.13 (Undertaking Regulated Activities regarding Human Remains) 2012 (formerly Subordinate Local Law No. 1.13 (Undertaking Regulated Activities regarding Human Remains) 2011);
 12. Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2012 (formerly Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2011);
 13. Subordinate Local Law No. 1.15 (Carrying out Works on a Road or Interfering with a Road or its Operation) 2012 (formerly Subordinate Local Law No. 1.15 (Carrying out Works on a Road or Interfering with a Road or its Operation) 2011);
 14. Subordinate Local Law No. 1.16 (Gates and Grids) 2012 (formerly Subordinate Local Law No. 1.16 (Gates and Grids) 2011);
 15. Subordinate Local Law No. 1.17 (Reservation of Bathing Reserve for Training, Competition etc) 2012 (formerly Subordinate Local Law No. 1.17 (Reservation of Bathing Reserve for Training, Competition etc) 2011);
 16. Subordinate Local Law No. 1.18 (Bringing or Driving a Motor Vehicle onto a Local Government Controlled Area) 2012 (formerly Subordinate Local Law No. 1.18 (Bringing or Driving a Motor Vehicle onto a Local Government Controlled Area) 2011);
 17. Subordinate Local Law No. 1.19 (Parking Contrary to an Indication on an Official Traffic Sign Regulating Parking by Time or Payment of a Fee) 2012 (formerly Subordinate Local Law No. 1.19 (Parking Contrary to an Indication on an Official Traffic Sign Regulating Parking by Time or Payment of a Fee) 2011);
 18. Subordinate Local Law No. 1.20 (Parking in a Loading Zone by Displaying a Commercial Vehicle Identification Label) 2012 (formerly Subordinate Local Law No. 1.20 (Parking in a Loading Zone by Displaying a Commercial Vehicle Identification Label) 2011);
 19. Subordinate Local Law No. 3 (Community and Environmental Management) 2012 (formerly Subordinate Local Law No. 3 (Community and Environmental Management) 2011);
 20. Subordinate Local Law No. 5 (Parking) 2012 (formerly Subordinate Local Law No. 5 (Parking) 2011);
 21. Subordinate Local Law No. 6 (Bathing Reserves) 2012 (formerly Subordinate Local Law No. 6 (Bathing Reserves) 2011).

SCHEDULE 4

1. Local Law No. 1 (Administration) 2012 (formerly Local Law No. 1 (Administration) 2011);
2. Local Law No. 3 (Community and Environmental Management) 2012 (formerly Local Law No. 3 (Community and Environmental Management) 2011);

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3. Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2012 (formerly Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011).

Local Law No. 1 (Administration) 2012 (formerly Local Law No. 1 (Administration) 2011);

- (1) Schedule 2, part 2, definition of prescribed activity ***operation of rental accommodation***, paragraph (a)—

omit, insert—

‘(a) means each of—

- (i) the provision of shared facility accommodation to holiday makers or travellers; and
- (ii) the provision of accommodation in a hotel or motel; but’.

Local Law No. 3 (Community and Environmental Management) 2012 (formerly Local Law No. 3 (Community and Environmental Management) 2011);

- (1) Sections 13 and 14—

omit, insert—

‘13 Overgrown allotments

- (1) This section applies where an authorised person forms the opinion that an allotment is overgrown with vegetation to such an extent that it—
 - (a) has seriously affected the visual amenity of the allotment; or
 - (b) is likely to attract or harbour reptiles or vermin.
- (2) The authorised person may, by compliance notice¹ given to the responsible person for the allotment, require the responsible person to clear the vegetation to an extent specified in the notice.
- (3) However, the notice cannot prevent a use of land authorised under the Planning Act² or the *Environmental Protection Act 1994*.
- (4) In this section—

vegetation includes a tree, bush, shrub, plant or grass, but does not include vegetation that is protected under a law³ of the State or Commonwealth or under the local government’s planning scheme.

14 Accumulation of objects and materials on allotments

¹ See footnote 5.

² See definition of *Planning Act* in the Act, schedule 4.

³ For example, vegetation may be protected under the *Nature Conservation Act 1992*, the *Vegetation Management Act 1999*, the *Planning Act*, the *Queensland Heritage Act 1992*, the *Fisheries Act 1994* and the *Environment Protection and Biodiversity Conservation Act 1999 (Cwlth)*.

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- (1) This section applies where an authorised person forms the opinion that objects or materials brought on to, or allowed to accumulate on, an allotment—

- (c) have seriously affected the visual amenity of the allotment; or
(d) are likely to attract or harbour reptiles or vermin.

Examples for paragraph (a) of objects and materials that may seriously affect the visual amenity of an allotment—

- *Discarded or disused machinery or machinery parts.*
- *Broken-down or severely rusted vehicles.*
- *Discarded bottles, containers or packaging.*
- *Refuse or scrap material.*

- (2) The authorised person may, by compliance notice⁴ given to the responsible person for the allotment, require the responsible person to—

- (e) remove objects or materials that are causing the circumstance mentioned in subsection (1)(a) or (b); or
(f) take other specified action to remedy the circumstance mentioned in subsection (1)(a) or (b).

Example of action that might be required under paragraph (b)—

Erecting an appropriate structure (in accordance with requirements under the Planning Act) to screen unsightly objects or materials from public view.

- (3) However, the notice cannot prevent a use of land authorised under the Planning Act or the *Environmental Protection Act 1994*.¹

- (2) Section 19—

omit, insert—

‘19 Removal or reduction of community safety hazards

- (1) This section applies where an authorised person forms the opinion that a community safety hazard exists on an allotment.

- (2) The authorised person may, by compliance notice¹⁴ given to the responsible person for the allotment, require the responsible person to take specified action in relation to the community safety hazard to—

- (g) remove the hazard; or
(h) reduce the level of risk to persons or property.

Example of specified action that might be required under paragraph (b) to reduce the risk to the community from a community safety hazard—

Securing objects or materials that may become airborne in periods of

⁴ See footnote 5.

¹⁴ See footnote 5.

high wind.’.

Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2012 (formerly Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011);

- (1) Section 4, footnote 2, ‘1995’—

omit, insert—

‘2009’.

- (2) Section 9, heading, ‘**or local government controlled area**’—

omit.

- (3) Section 9(1)—

omit, insert—

‘(1) This section applies if, in the local government’s opinion, it is necessary for land adjoining a road to be fenced to prevent the risk of—

- (a) animals escaping from the land onto the road; or
- (b) interference with the safe movement of traffic or the safe use of the road.’.

- (4) section 11 —

omit, insert—

‘11 Compliance notice about a road or footpath crossing

- (1) The local government may give a compliance notice to a person who is the owner or occupier of land adjoining or adjacent to a road to do 1 or more of the following—
 - (a) perform work on the land or the road;
 - (b) construct a vehicle crossing to provide vehicular access between the land and the road to a standard specified by the local government in the compliance notice;
 - (c) maintain or repair a vehicle crossing which provides vehicular access between the land and the road to a standard specified by the local government in the compliance notice if, in the opinion of an authorised person, the vehicle crossing—
 - (i) is not effective for its intended purpose; or
 - (ii) is causing a nuisance or poses a risk of a nuisance; or
 - (iii) constitutes an actual or potential safety hazard;
 - (d) alter a vehicle crossing, or construct a new or modified vehicle crossing between the land and the road to a standard specified

by the local government in the compliance notice if, in the opinion of an authorised person, the vehicle crossing is no longer adequate having regard to—

- (i) the volume or nature of traffic using the vehicle crossing; or
- (ii) the manner in which the vehicle crossing is used by traffic; or
- (iii) changes in the use of the land to which the vehicle crossing provides access; or
- (iv) changes in the usual or expected standard of vehicle crossing provision in the relevant locality.

- (2) However, a compliance notice may only be given under subsection (1) if the work to be carried out is required as a direct result of the intentional act or negligence of the person and, in the reasonable opinion of an authorised person, the work should be performed to—
- (a) protect public health, safety or amenity; or
 - (b) prevent environmental harm or environmental nuisance; or
 - (c) prevent interference with the safe movement of traffic or the safe use of a road.’.

- (5) Section 12(6) and (7) —

omit.

- (6) Section 12(8)—

renumber as subsection (6).

- (7) Section 14(f), ‘or local government controlled area’—

omit.

SCHEDULE 5

1. Subordinate Local Law No. 1.4 (Operation of Advertising Devices) 2012 (formerly Subordinate Local Law No. 1.4 (Operation of Advertising Devices) 2011);
2. Subordinate Local Law No. 1.11 (Operation of Rental Accommodation) 2012 (formerly Subordinate Local Law No. 1.11 (Operation of Rental Accommodation) 2011);
3. Subordinate Local Law No. 2 (Animal Management) 2012 (formerly Subordinate Local Law No. 2 (Animal Management) 2011);
4. Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2012 (formerly Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011).

Subordinate Local Law No. 1.4 (Operation of Advertising Devices) 2012 (formerly Subordinate Local Law No. 1.4 (Operation of Advertising Devices) 2011):

- (1) Schedule 1, section 2(2)(a)—
omit, insert—
'(a) defined in schedule 3 as—
 - (i) a real estate sign; or
 - (ii) an under awning sign; and'.
- (2) Schedule 1, section 3(1)(c), before 'the name'—
insert—
'if available—'.
- (3) Schedule 1, section 3(7)(b)—
omit.
- (4) Schedule 1, section 3(7)(c) to (h)—
renumber as paragraphs (b) to (g).
- (5) Schedule 1, section 3(7)(c), after 'content,'—
insert—
'if available,'.
- (6) Schedule 1, section 4(1)(a)(vii), 'potential'—
omit, insert—
'likely'.
- (7) Schedule 1, section 6(1)(d)(v), after 'period'—
insert—
'unless the local government has received and approved an application for renewal of the term'.
- (8) Schedule 3, section 6(2)(a), '45'—
omit, insert—
'48'.
- (9) Schedule 3, section 6(2)(b), after 'degrees'—

insert—

‘unless the space between each face is filled or cladded’.

- (10) Schedule 4, section 3—

omit, insert—

‘**3** If an advertising device advertises an activity being conducted on premises—the activity must be able to be lawfully conducted on the premises.’.

- (11) Schedule 4, section 18, ‘The advertising device must blend’—

omit, insert—

‘An advertising device at a location must be compatible’.

- (12) Schedule 4, section 25, ‘45’—

omit, insert—

‘48’.

Subordinate Local Law No. 1.11 (Operation of Rental Accommodation) 2012
(formerly Subordinate Local Law No. 1.11 (Operation of Rental Accommodation)
2011);

- (1) Schedule 1, section 2, ‘No activities stated.’—

omit, insert—

‘Section 6(2) of the authorising local law does not apply to the provision of accommodation in a hotel or motel if the only accommodation provided at the hotel or motel is accommodation other than backpacker accommodation.’.

- (2) Schedule 1, section 3(1)(e)(iii)—

omit.

- (3) Schedule 1, section 3(1)(e), paragraphs (iv) to (vi)—

renumber as paragraphs (iii) to (v).

- (4) Schedule 1, section 3(3)—

omit.

- (5) Schedule 1, section 6(1)(e)—

omit.

- (6) Schedule 1, section 6(1)(f) to (q)—

renumber as paragraphs (e) to (p).

-
- (7) After schedule 1, section 6(1)(p)—
insert—
‘(q) specify requirements or standards about the use of bunk beds within the premises, for example, a requirement for compliance with AS/NZS 4220:2010 Bunk beds and other elevated beds.’.
- (8) Schedule 1, section 6(6)—
omit.
- (9) Schedule 1, section 6(7)—
omit, insert—
‘(7) A bedroom must not be used as sleeping accommodation unless the minimum space provided for each person occupying the room is not less than the space required under the Building Code of Australia after disregarding the space occupied by bulky furniture.’.
- (10) Schedule 1, section 6(8), ‘subsections (6) and (7)’—
omit, insert—
‘subsection (6)’.
- (11) Schedule 1, section 6(15)—
omit, insert—
‘(15) The premises must be provided with toilet and ablution facilities which comply with the requirements of the Building Code of Australia.’.
- (12) Schedule 1, section 6(16)—
omit, insert—
‘(16) The premises must be provided with laundry facilities as follows—
(a) a laundry of adequate size containing—
(i) at least 1 washing tub with reticulated hot and cold water; and
(ii) 1 washing machine for each 15 persons occupying the premises with an adequate supply of hot and cold water; and
(b) clothes drying facilities as follows—
(i) 1 100 litre dryer for each 15 persons; and
(ii) 7.5m of clothes line per bedroom.’.

(13) Schedule 1, section 6, after subsection (16)—

insert—

‘(16A) The premises must be provided with kitchen facilities as follows—

- (a) a kitchen separate from all other rooms which is kept in a clean and hygienic manner at all times; and
- (b) if a kitchen on the premises is used, or intended to be used, for self-catering purposes by the occupants of the premises—the kitchen must comply with the following standards—
 - (i) all kitchen walls and ceilings must be smooth and free of ledges, protrusions, cracks and crevices and treated with washable gloss or another washable surface; and
 - (ii) all kitchen floors must be covered with a smooth impervious floor covering; and
 - (iii) all kitchen benches, tables and shelving must be covered in a smooth impervious material; and
 - (iv) cooking appliances must be provided at a rate of—
 - (A) at least 2 burners or hot plates for each 15 persons occupying the premises; and
 - (B) 1 microwave oven for each 15 persons occupying the premises; and
 - (C) 1 oven for each 50 persons occupying the premises; and
- (c) refrigeration space at the rate of 15 litres for each person occupying the premises; and
- (d) dishwashing facilities at the rate of 1 double bowl stainless steel sink for each 15 persons with an adequate supply of hot and cold water and fitted with a commercial waste food digester; and
- (e) adequate crockery, cutlery and cooking utensils which are maintained in a sound and clean condition; and
- (f) kitchen cupboard space at the rate of 0.015m² for each person occupying the premises.’.

(14) Schedule 1, section 6 subsections (7) to (16A) inclusive—

renumber as subsections (6) to (16) inclusive.

(15) Schedule 1, section 6(18)—

omit, insert—

-
- (18) The approval holder must ensure that the operation of the prescribed activity at the premises complies with each Act, including each Local Government Act, applicable to the operation of the prescribed activity at the premises.’.
- (16) Schedule 3, Dictionary, before the definition **bed**—
insert—
‘**backpacker accommodation** means accommodation in a building in which an individual bed within the building can be let.’.
- (17) Schedule 3, Dictionary, definition **fire safety installation**—
omit.
- (18) Schedule 3, Dictionary, after the definition **sanitary convenience**—
insert—
‘**traveller** includes a temporary worker who resides in shared facility accommodation for a period of time determined by—
- (a) the work that the worker is employed to perform, for example, the period during which a crop is harvested; or
 - (b) the duration of a project on which the worker is employed to work, for example, the construction of specified infrastructure.’.

Subordinate Local Law No. 2 (Animal Management) 2012 (formerly Subordinate Local Law No. 2 (Animal Management) 2011);

- (1) Schedule 5, item 1, column 2, ‘dogs’—
omit, insert—
‘1 or more dogs’.
- (2) Schedule 5, item 7, column 2, ‘cats’—
omit, insert —
‘1 or more cats’.
- (3) Schedule 7, from ‘No’ to ‘designated.’—
omit, insert—
‘1. The fenced area within Plantation Park, corner of Kennedy Street and Bruce Highway, Ayr, which is designated by sign as a dog off-leash area.’.
- (4) Schedule 14, definition **cattery**—

omit, insert—

‘cattery see kennel.’.

Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2012 (formerly Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011);

- (1) Schedule 2, item 10, column 2, after ‘Camping’—

insert—

‘at a park or reserve identified in column 1.’.

- (2) Schedule 2, item 10—

insert—

	Column 1 Local government controlled area or road	Column 2 Restricted activity	Column 3 Extent of restriction
		Use of a facility provided by the local government at a park or reserve identified in column 1, for example, a table, chair, electricity supply or barbeque facility.	If the local government erects on or near the facility a notice that is approved by the local government which restricts the use of the facility, for example, notice that a person must not use the facility for more than 2 hours— a person using the facility must comply with the requirements of the notice.

’.

- (3) Schedule 4, item 1, column 2, ‘9.00 a.m. to 6.00 p.m.’—

omit, insert—

‘6.00 a.m. to 9.00 p.m.’.

Background Information

Council began the local law making process on 26 July 2011 when it resolved to propose to adopt and make various model laws, other local laws and subordinate local laws. A State

interest check has been made and public submissions have been sought on the laws and any anti-competitive provisions within the laws.

Council at its meeting held 20 December 2011 resolved to proceed with:

- 1.making the local laws and subordinate local laws;
- 2.implementing the recommendation of each Public Interest Test Report;
- 3.consulting with the Minister about each “other” local law.

The Minister for Local Government in his letter dated 11 May 2012 advised the proposed local laws sufficiently deal with the overall State interest and that Council may adopt the proposed local laws under section 29A(4) of the Local Government Act 2009 without the need to satisfy any conditions.

Once Council has made the resolution set out in this report, Council must let the public know that the local laws and subordinate local laws have been made by publishing a notice in the local newspaper, the government gazette and on Council’s website.

All of the local laws and subordinate local laws will be made available for inspection and purchase by the public at the Council Chambers and are accessible on Council’s website.

Link to Corporate/Operational Plan

1.7 Ensure effective corporate governance through compliance with legislation and adoption of risk management strategies.

Consultation

Consultation in accordance with the Local Law Making Process adopted by Council on 26th July 2011.

King and Company, Solicitors

Legal Authority or Implications

Compliance with Local Government Act 2009 and Local Government (Operations) Regulations 2010.

Policy Implications

Nil

Financial and Resource Implications

Preparation and adoption of new local laws will incur legal fees and staff resource allocation. Effective implementation of the local laws will require signage to be erected.

Report prepared by:

Dan Mulcahy, Director of Corporate and Community Services

Report authorised by:

Dan Mulcahy, Director of Corporate and Community Services

7 CORRESPONDENCE FOR INFORMATION

Tabled Separately

8 NOTICES OF MOTION

8.1 Jurisdiction over Activities carried out within Lilliesmere Lagoon

Recommendation

That Council directs the CEO to determine what authority has jurisdiction over activities carried out within Lilliesmere Lagoon due to landowner concerns in respect of the following:

- Speed boats and jet skies using the lagoon are causing erosion to the banks of the lagoon; and
- Some adjoining property boundaries are within the lagoon.

8.2 Sale of Land at 35 McCathie Street, Ayr Industrial Estate

Recommendation

That Council approves the sale of land described as Lot 68 on SP102302 located at 35 McCathie Street, Ayr Industrial Estate through a public tender process.

9 URGENT BUSINESS

10 GENERAL BUSINESS

11 IN COMMITTEE DISCUSSIONS

12 DELEGATIONS

