



BURDEKIN SHIRE COUNCIL



AGENDA

ORDINARY COUNCIL MEETING

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

on 10 May 2016

COMMENCING AT 9:00AM

At this meeting contributions made by members of the public may be recorded by way of audio recording which will be used for the purpose of developing minutes of the meeting and decision making of Council. Burdekin Shire Council is bound by the Information Privacy Act 2009 to protect the privacy of personal information.

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Further information may be found on council's website at www.burdekin.qld.gov.au



TUESDAY 10 MAY 2016

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1 PRAYER

2 DECLARATIONS OF INTEREST

3 MINUTES AND BUSINESS ARISING

3.1 Ordinary Council Meeting Minutes - 3 May 2016

Recommendation

That the minutes of the Ordinary Council Meeting held on 3 May 2016 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 03 May 2016

COMMENCING AT 9:00AM



TUESDAY 3 MAY 2016

ORDER OF BUSINESS:

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Ordinary Council Meeting 03 May 2016



BURDEKIN SHIRE COUNCIL



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ATTENDANCE

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

Mr. D. Mulcahy – Manager Governance and Local Laws
Mr. S. Great - Manager Planning and Development
Mr. T. Vaccaro – Manager Community Development
Mr. A. Scott – Manager Economic Development
Mrs. K. Olsen - Manager Financial and Administrative Services
Mr. W. Saldumbide - Manager Operations
Mr. K. Byers - Manager Technical Services
Mrs. E. Robinson – Manager Client Services

Minutes Clerk – Miss S. Cronin

Apologies: Councillor A.J. Goddard – Leave of Absence

1 PRAYER

The meeting prayer was delivered by Pastor Colin Saal of the Christian Outreach Centre.

2 DECLARATIONS OF INTEREST

The Mayor called for declarations of interest.

No declarations of interest were identified.

3 MINUTES AND BUSINESS ARISING

3.1 Ordinary Council Meeting Minutes - 26 April 2016

Recommendation

That the minutes of the Ordinary Council Meeting held on 26 April 2016 be received as a true and correct record.

Resolution

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

CARRIED

4 REPORTS

4.1 End of Third Quarter Comments 2015/2016 Operational Plan

Executive Summary

The end of third quarter comments for the 2015/2016 Operational Plan have been collated and are now presented to Council for review.

Recommendation

That Council receives the attached End of Third Quarter Comments for the 2015/2016 Operational Plan.

Resolution

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

CARRIED

5 GOVERNANCE & LOCAL LAWS

6 CLIENT SERVICES

7 FINANCIAL & ADMINISTRATIVE SERVICES

7.1 Consideration of Audit Committee Composition and Audit Committee Charter

Executive Summary

The Local Government Act 2009 requires Council to establish an Audit Committee responsible for monitoring and reviewing the integrity of the financial documents, the internal audit function and the effectiveness and objectivity of the local government's internal auditors. The Audit Committee is also responsible for making recommendation to the local government about any matters that the audit committee considers need action or improvement.

The current Audit Committee Charter records that Council has resolved to establish an Audit Committee comprising of 2 councillors and one external person with significant experiences and skills in financial matters.

Following the Local Government Election on 29 March, 2016 Council appointed by resolution two new councillors to the Audit Committee- Councillors John Woods and Sue Perry.

It is considered timely for Council to review the Composition of the Audit Committee and for the Audit Committee to review and update the Audit Committee Charter accordingly.

In reviewing the composition of the Audit Committee, it is noted that other councils include additional external members on their Audit Committees.

Lockyer Valley Regional Council's Audit Committee consists of two councillors and three independent committee members including an Independent Community Member, and Independent Professional Member and the Independent Chairperson. Further information has been provided on these positions in the background information section of this report.

Recommendation

That Council notes the report "Consideration of Audit Committee Composition and Audit Committee Charter".

Resolution

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

CARRIED

7.2 Audit Committee Representatives

Resolution

Moved Councillor Perry, seconded Councillor Bonanno that Council appoints an Audit Committee comprising of two Councillors and up to three suitably qualified independent people.

FOR: Councillors Woods, Perry, Bonanno, Bawden and McLaughlin

AGAINST: Councillor Liessman

CARRIED

7.3 Suitable Audit Committee Members

Resolution

Moved Councillor Woods, seconded Councillor Perry that Council solicits an expression of interest from suitably qualified independent people to enable Council to appoint up to three additional people to Council's Audit Committee.

FOR: Councillors Woods, Perry, Bonanno, Bawden and McLaughlin

AGAINST: Councillor Liessmann

CARRIED

7.4 Audit Committee Chairman

Resolution

Moved Councillor Woods, seconded Councillor Perry that Council invites current Chair, John Zabala to Chair the first Audit Committee meeting to be held on 18 May 2016.

CARRIED

8 OPERATIONS

9 TECHNICAL SERVICES

10 PLANNING & DEVELOPMENT

11 COMMUNITY DEVELOPMENT

12 ECONOMIC DEVELOPMENT

13 NOTICES OF MOTION

14 CORRESPONDENCE FOR INFORMATION

14.1 2018 Australian Local Government Women's Association Queensland Conference

Resolution

Moved Councillor Bonanno, seconded Councillor Perry that Council agrees to host the Australian Local Government Women's Association Conference in 2018 subject to approval at the Annual General Meeting of the Queensland Conference date change.

CARRIED

15 GENERAL BUSINESS

15.1 Parking Bays - Ninth Avenue and Twelfth Street, Home Hill

Resolution

Moved Councillor Bawden, seconded Councillor Liessmann that Council officers investigate the line marking of parking bays in Ninth Avenue and Twelfth Street, Home Hill and report back to Council for further consideration.

CARRIED

15.2 Sporting/Cultural Grant Approval

Discussions were held regarding a sporting application received by Mr. Jarrod Langford noting that Councillor Liessmann left the meeting for a brief time during these discussions.

Resolution

Moved Councillor Woods, seconded Councillor Perry that under Section 9 of the Sporting/Cultural Grants Policy stating "*Council, at its discretion, may approve an application for financial assistance without compliance with all of these provisions*", Council approves the application received by Mr. Jarrod Langford for the amount of \$450.00 to represent Australia at the 24th Asian Adult Tenpin Bowling Championships in Hong Kong in September 2016.

CARRIED

16 CLOSED MEETING ITEMS

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

Resolution

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

- | | |
|-----------|--|
| 275(1)(c) | the local government's budget; |
| 275(1)(h) | other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage. |

For the purpose of discussing:

1. Council's budget;
2. Economic Development opportunities;
3. Update on Feral Deer management options at Rita Island; and
4. Discussion on Waste Management Services quotations.

CARRIED

Council Meeting opened to Public

Resolution

Moved Councillor Woods, seconded Councillor Perry that the Council meeting be opened to the public.

CARRIED

16.1 Write to Relevant Landowners Requiring Completion of Deer Proof Fence - Rita Island

Resolution

Moved Councillor Woods, seconded Councillor Liessmann that, without limiting any other action that the Council can legally apply or enforce, the Council writes to the relevant landowners in Rita Island that are harbouring chital deer advising that:

1. They have an obligation under the Land Protection (Pest and Stock Route Management) Act 2002 to take reasonable steps to keep their land free of deer and it is an offence to introduce, keep, feed, supply or release deer without a permit issued by Biosecurity Queensland.
2. They are required to construct and complete a deer proof fence to keep the deer from wandering from their property.
3. If the works are not completed by 31 August 2016, Council will correspond with the Department of Natural Resources and Mines requesting that all relevant leases, licences and permits with the Department be cancelled as the lessee's are not complying with their legislative responsibility.

CARRIED

16.2 Analysis of Waste Management Options

Resolution

Moved Councillor Bawden, seconded Councillor Liessmann that in recognition of the financial significance and long term impact of the waste management services to the budget and operations of the Council, the Council approves to engage Resource Innovations to analyse and assist Council in determining the most beneficial means of procuring or implementing waste collection services from 1 July 2017.

CARRIED

17 DELEGATIONS

17.1 Presentation - Economic Development Queensland

11.00am – Mr. Andrew Sly, Executive Director - Regional and Residential Development and Mr. Tallis Ashley, Development Manager presented to council in closed meeting.

There being no further business the meeting closed at 4.40pm.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 10 May 2016.

MAYOR

4 REPORTS

5 GOVERNANCE & LOCAL LAWS

5.1 Adoption of Community Use of Council Bus Policy

Document Information

Referring Letter No: N/A

File No: 1529

Name of Applicant: N/A

Location: N/A

Author and Title: Rebecca Woods- Executive Officer

Executive Summary

Council adopted a policy in 1995 regarding the use of the Council Bus by community groups. The policy was amended in 2004 to provide more conditions for the use of the Council bus by community groups. The existing policy is not in the current policy template and has not been reviewed since the amendment in 2004. A new Community Use of Council Bus Policy has been developed to include more risk mitigation measures around loaning the council bus to community groups.

Recommendation

That Council adopts the attached Community Use of Council Bus Policy.

Background Information

Council has traditionally allowed community groups to borrow the council bus where a community benefit can be clearly identified and a council officer or councillor is available to drive the bus.

Link to Corporate/Operational Plan

3.1.1 Support projects and activities to improve public safety and health through strategic partnerships.

3.2.1 Promote and encourage community participation and volunteerism.

Consultation

N/A

Legal Authority or Implications

Council's CTP insurance requires that a council officer or councillor is the driver of the vehicle.

Policy Implications

This policy will replace the existing "Council Buss Policy" and will be added to Council's policy register.

Financial and Resource Implications

N/A

Report prepared by:

Rebecca Woods- Executive Officer

Report authorised by:

Matthew Magin

Attachments

1. Community Use of Council Bus Policy

Community use of Council Bus Policy

Commencement Date: DD/MM/YY

Function: Community Assistance

RESPONSIBILITIES

Policy Owner	CEO
Policy Contact	CEO
Approval Authority	Council
Next Review Date	May 2019

REVISION HISTORY

Rev	Status	Date	Approver / Meeting	Resolution / Document No.
A002	Adopted	12/10/1995	General Meeting	N/A
A002	Amended	9/11/2004	Council Ordinary Meeting	N/A
1.0	DRAFT- replacing A002.			

1 PURPOSE

The purpose of this policy is to provide conditions for the use of the Council owned bus by Community Groups. The Council bus is only available for use by community groups to support activities and programs benefiting Burdekin Shire residents. The bus is made available at the complete discretion of Council.

2 SCOPE

This policy applies community groups within the Burdekin Shire who wish to use the Council bus for community purposes.

3 EXCEPTIONS

Community groups outside of the Burdekin Shire are excluded from using the Council bus.

4 DEFINITIONS

Council bus- is the 12 seater mini-bus owned by Council as part of its Fleet.

5 POLICY STATEMENT

Application for use of bus

- 5.1. Council will consider applications to use the council bus on a case-by-case basis.
- 5.2. Applications should be in writing and should detail when the bus is required, where the bus will be taken to and demonstrate what benefit the use of the bus will have to the community.
- 5.3. Applications to use the bus must include the name of the person nominated to drive the bus. The bus must be driven by either a Council employee or a Councillor.



- 5.4. The Council reserves the right to withdraw the bus from use without prior warning to users. However, in such instances, every attempt will be made to inform users as soon as possible.

Conditions for use of bus

- 5.5. No smoking is permitted at any time in the bus.
- 5.6. No animals are permitted on the bus with special exemption for registered guide dogs with their owners.
- 5.7. The bus must be parked correctly and in a secure place
- 5.8. The driver must ensure that the log book is completed for each part of the journey.
- 5.9. No bus driver shall be unlicensed to drive, under the influence of alcohol or other drugs or take any step which is likely to interfere with the conditions of the insurance cover.
- 5.10. The bus must be fully fuelled upon return. Reimbursement of the cost of fuel is to be considered on a case-by-case basis. Where a community group wishes to be reimbursed for fuel costs they must indicate this at the time of applying to use the bus.
- 5.11. Any damages identified from use of the Council bus will be the responsibility of the user. The bus must be returned in a clean and tidy state. Any cleaning costs incurred by the Council will be the responsibility of the user.

Safety Requirements

- 5.12. The bus must only transport a maximum of 12 people including the driver.
- 5.13. All passengers must wear seatbelts whilst travelling on the bus.
- 5.14. Infants and small children must not travel in the bus without the proper infant car seats.

Indemnity

- 5.15. Burdekin Shire Council shall not be responsible for any loss or damage to property belonging to the user or any person travelling on the bus during the period of use.
- 5.16. Failure to comply with any of the requirements set out in the policy will be regarded as a breach of this policy and may impact on future applications to use the bus.

<END>

6 CLIENT SERVICES

7 FINANCIAL & ADMINISTRATIVE SERVICES

8 OPERATIONS

9 TECHNICAL SERVICES

10 PLANNING & DEVELOPMENT

11 COMMUNITY DEVELOPMENT

12 ECONOMIC DEVELOPMENT

13 NOTICES OF MOTION

13.1 Renewal of Lease - Burdekin Bocce Club Inc

Recommendation

That Council approves the reissue of a freehold lease to the Burdekin Bocce Club Inc over part of Lot 24 on SP156119 from 24 July 2016 for a term of 10 years in accordance with standard terms and conditions including but not limited to the following:

- a) Responsibility for maintenance and upgrade of facilities and grounds will be that of the lessee.
- b) The lessee will be responsible for any costs associated with the registration of the lease documents (if required).
- c) The annual rental payable during the lease term will be 10 cents per annum if and when demanded.
- d) An insurance policy against loss or damage by fire, storm and/or tempest on all buildings erected on the land must be kept current for the term of the lease.
- e) A public risk policy of not less than twenty million dollars (\$20,000,000) must also be kept current for the term of the lease.

14 CORRESPONDENCE FOR INFORMATION

Tabled Separately

15 GENERAL BUSINESS

16 CLOSED MEETING ITEMS

1. Home Hill Caravan Park Ablutions Upgrade Capital Carryover Project

17 DELEGATIONS

