



BURDEKIN SHIRE COUNCIL



AGENDA

ORDINARY COUNCIL MEETING

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

on 20 September 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.

Under Local Law 1 Section 35(3) a person must not make an audio or video recording of a local government meeting, a standing committee meeting, a special committee meeting or an advisory committee meeting unless the chairperson at the meeting gives consent in writing to the recording of the meeting.

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



TUESDAY 20 SEPTEMBER 2016

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BURDEKIN SHIRE COUNCIL



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1 PRAYER

2 DECLARATIONS OF INTEREST

3 MINUTES AND BUSINESS ARISING

3.1 Ordinary Council Meeting Minutes - 13 September 2016

Recommendation

That the minutes of the Ordinary Council Meeting held on 13 September 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 13 September 2016

COMMENCING AT 9:00AM



TUESDAY 13 SEPTEMBER 2016

ORDER OF BUSINESS:

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Ordinary Council Meeting 13 September 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, A.J. Goddard, U.E. Liessmann and S.P. Perry.

Mr. M. Magin - Chief Executive Officer
Mr. D. Mulcahy – Manager Governance and Local Laws
Mr. S. Great - Manager Planning and Development
Mr. T. Vaccaro – Manager Community Development
Mrs. K. Olsen - Manager Financial and Administrative Services
Mr. W. Saldumbide - Manager Operations
Mr. K. Byers - Manager Technical Services

Minutes Clerk – Mrs. A. Dale

1 PRAYER

The meeting prayer was delivered by Pastor Luke Stuart of the Seventh Day Adventist Church.

2 DECLARATIONS OF INTEREST

The Mayor called for declarations of interest.

No declarations of interest were identified.

3 MINUTES AND BUSINESS ARISING

3.1 Ordinary Council Meeting Minutes - 6 September 2016

Recommendation

That the minutes of the Ordinary Council Meeting held on 6 September 2016 be received as a true and correct record.

Resolution

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

CARRIED

4 REPORTS

5 GOVERNANCE & LOCAL LAWS

5.1 Adoption of Audit Committee Charter - Lay on Table

Executive Summary

A revised Audit Committee Charter has been developed by the Audit Committee to reflect the decision of Council to increase the independent membership of the audit committee.

Recommendation

That Council adopts the attached Audit Committee Charter 2016 and that council proceeds with soliciting expressions of interest from suitably qualified independent members as per the description within the charter.

Resolution

Moved Councillor Woods, seconded Councillor Perry that the recommendation be adopted. With the approval of the mover and seconder, the meeting agreed for the recommendation to lay on the table until Ordinary Council Meeting held on 20 September 2016.

CARRIED

6 CLIENT SERVICES

7 FINANCIAL & ADMINISTRATIVE SERVICES

7.1 Adoption of Procurement Policy 2016/2017

Executive Summary

Council is required to prepare and adopt a procurement policy which must include the principles to be applied to the purchase of goods and services. A full review of Council's Procurement Policy has been undertaken by council officers and a revised policy has been developed for Council. Council is required to review the procurement policy annually.

Recommendation

That Council adopts the attached Procurement Policy 2016/2017.

Resolution

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

CARRIED

8 OPERATIONS

8.1 Report to Council on Tenders for Preferred Supplier Arrangement for the Supply and Delivery of Bulk Petroleum Products

Executive Summary

The Local Government Regulations 2012 stipulate that a local government cannot enter into a large sized contractual arrangement unless the local government first invites written tenders for the contract under Section 228. A large-sized contractual arrangement for goods and services purchased from a supplier that is expected to exceed \$200,000 ex GST per financial year.

The Procurement Group of the Councils represented in the NQROC identified a potential cost saving measure through implementation of a coordinated regional tender for Supply and Delivery of Bulk Petroleum products.

Tenders were advertised in the Burdekin Advocate and Townsville Bulletin on Friday 10th and Saturday 11th June, 2016 respectively. Submissions closed on 13th July 2016 at 10.00am.

Submissions were received from eight suppliers, two of which were late submissions. The late submissions did not progress past the compliance criteria evaluation stage and were classed as non-conforming. The remaining six conforming responses provided the requested pricing calculation formula (Daily Terminal Gate Price (TGP) minus any discount %).

The conforming tender responses were evaluated by officers within the Townsville, Charters Towers, Hinchinbrook and Burdekin Councils.

All evaluation response scores were entered into the evaluation Matrix for each council, the Matrix ranked the responses and concluded that Puma Energy (Australia) Fuels Pty Ltd was ranked the highest by each of the four councils realising a cost saving to Burdekin Shire Council of 1.45% compared to the next most advantageous tender.

Recommendation

It is recommended that Council accept the preferred supplier arrangement as follows:

PSA00045 – Supply and Delivery of Bulk Petroleum Products – 2016/2017

It is recommended that Council accepts Puma Energy (Australia) Fuels Pty Ltd as the Preferred Supplier for the Supply and Delivery of Bulk Petroleum Products from 1 October 2016 to 30 September 2017 with three, twelve month options to extend available.

Resolution

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

CARRIED

8.2 Results of Boat Ramp Surveys

Manager of Operations, Mr Wayne Saldumbide presented to Council the results of Boat Ramp Surveys.

Resolution

Moved Councillor Woods, seconded Councillor Liessmann that Council receive the results of the Community Survey Report regarding the use of boat ramps in the Burdekin Shire.

CARRIED

8.3 Burdekin Shire Boat Ramps – Report On Costing For Supply of Bins

Resolution

Moved Councillor Perry, seconded Councillor Goddard that a report be prepared providing information on costing of the supply, emptying and collection of bins at the Ocean Creek, Plantation Creek, Barratta Creek, Wallace Creek, Groper Creek, Hell Hole, Barramundi Creek and Cromarty Creek boat ramps for the purposes of a trial, for the following periods;

- All school holidays
- Weekend portion of the school holidays
- Public holiday long weekends

CARRIED

9 TECHNICAL SERVICES

10 PLANNING & DEVELOPMENT

11 COMMUNITY DEVELOPMENT

12 ECONOMIC DEVELOPMENT

13 NOTICES OF MOTION

14 CORRESPONDENCE FOR INFORMATION

17 DELEGATIONS

17.1 Regional Arts Development Fund - Previous Recipient

Bianca Parison, recipient of a Regional Arts Development Fund Grant in 2005, presented to Council her musical achievements, current studies at the Conservatorio della Svizzera Italiana in Lugano, Switzerland and her future goals in Music and Movement.

15 GENERAL BUSINESS

15.1 Ordinary Council Meeting - Tuesday 11 October 2016 - Cancelled

Resolution

Moved Councillor Goddard, seconded Councillor Woods that the Ordinary Council Meeting to be held on Tuesday 11 October 2016 be cancelled due to Disaster Management Training for Councillors.

CARRIED

15.2 Nominations - Burdekin Cultural Advisory Group

Resolution

Moved Councillor Liessmann, seconded Councillor Bonanno that Council accepts all six nominations received for the Burdekin Cultural Advisory Group.

CARRIED

16 CLOSED MEETING ITEMS

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

Resolution

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

- 275(1)(g) any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act;
- 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;

- Planning issues at Mt. Kelly.
- Proposed Development Application for a Telecommunication Facility.
- Procurement Policy.

Councillor McLaughlin left the meeting during discussions on the planning issues at Mt. Kelly due to being an adjoining landowner and Councillor Woods assumed Chair. Councillor McLaughlin returned to the meeting and resumed the Chair for the remaining discussions.

CARRIED

Council Meeting opened to Public

Resolution

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

CARRIED

17 DELEGATIONS

There being no further business the meeting closed at 12.38pm.

These minutes were confirmed by Council at the Ordinary Council Meeting held on Tuesday 20 September 2016.

MAYOR

4 REPORTS

4.1 Capital Projects Monthly Report for Period Ending 31 August 2016

Recommendation

That the Capital Projects Monthly Report for Period Ending 31 August 2016 be received.



**BURDEKIN SHIRE COUNCIL
MONTHLY REPORT - CAPITAL PROJECTS
Period Ending 31 August 2016**

| Income Actual to | | | Expenditure | | | | |
|--|-------------|----------|---|------------|------------------|----------|--|
| Budget | Period End | Variance | Description | Budget | Actual to Period | Variance | Comments |
| MCD - Manager Community Development | | | | | | | |
| - | (62,082.00) | - | 21140 - Burd Multi-Tenant Building Capital | - | - | - | Income received for annual PCYC grant - should be operational and will be corrected in September. |
| - | - | - | 24101 - Burdekin Library Building Capital | 105,000.00 | - | -100% | Budget \$75,000 Ayr Library kitchen refurbishment including second toilet. Budget \$15,000 Ayr Library security upgrade. Budget \$15,000 Home Hill Library security upgrade and replace front desk. Plans for refurbishments currently being developed. |
| (80,000.00) | - | -100% | 24103 - Burdekin Library Office Equip Capital | 98,400.00 | 6,713.34 | -93% | Budget \$98,400 Actual \$6,713 Book purchases. Target will be to have spent 55% of the book allocation by December 31. |
| - | - | - | 24140 - Burdekin Memorial Hall Building Capital | 15,000.00 | - | -100% | Budget \$15,000 Replace sound mixing console. Quotes currently being sourced. |
| - | - | - | 24170 - Burdekin Theatre Building Capital | 32,000.00 | - | -100% | Budget \$22,000 Replace LED cys. Budget \$10,000 Replace house lights with LED lights. Quotes being sourced. |
| (80,000.00) | (62,082.00) | | Total | 250,400.00 | 6,713.34 | | |
| MCS - Manager Client Services | | | | | | | |
| - | - | - | 11501 - IT Hardware Purchases | 267,200.00 | - | -100% | Budget \$150,000 SAN replacement - Tier 1 & 2 storage. Budget \$20,000 Replace backup and archive system. Budget \$45,000 replace UPS in primary computer room. \$12,200 Library server replacement - hardware. Budget \$40,000 High speed network link WWW treatment plant and second external site (library). |
| - | - | - | 11503 - IT Software Purchases | 165,000.00 | (762.73) | -100% | Budget \$30,000 Virtual desktop infrastructure pilot for 10 desktop computers. Budget \$100,000 Software - ECM upgrade allowance. Actual \$490 Budget \$15,000 Corporate photo gallery. Budget \$20,000 GIS spacial imagery replacement. Actual \$(-1,252) Consulting for archiving module implementation project. 30th June accrual amount higher than final invoice received. |
| - | - | | Total | 432,200.00 | (762.73) | | |
| MGLL - Manager Governance and Local Laws | | | | | | | |
| - | - | - | 21120 - Aerodrome Residence | - | 260.00 | - | Minor expend finalising Aerodrome Residence Refurbishment project from 2015-16. Operational expenses to be journalled in September. |
| - | - | - | 21150 - Showgrounds Other Buildings Capital | 10,000.00 | 980.00 | -90% | Budget \$10,000 Ayr Showgrounds - open bar structure, replace roof sheeting and fascia. Order placed \$6,325. Estimate works to be completed 2 September. |



BURDEKIN SHIRE COUNCIL
MONTHLY REPORT - CAPITAL PROJECTS
Period Ending 31 August 2016

| <u>Income Actual to</u> | | | <u>Description</u> | <u>Expenditure</u> | | | <u>Comments</u> |
|-------------------------|-------------------|-----------------|---|--------------------|-------------------------|-----------------|---|
| <u>Budget</u> | <u>Period End</u> | <u>Variance</u> | | <u>Budget</u> | <u>Actual to Period</u> | <u>Variance</u> | |
| - | - | - | 22130 - Burdekin Multi-Purpose Building Capital | - | 12,630.67 | - | Actuals are for 3 x Industrial Fans (50% upfront cost and 50% on delivery - additional \$11,000 to be paid upon completion of installation - total project cost \$35,980) Order placed for 4 new water extinguishers required under the guidelines. |
| - | - | - | 46401 - Waste Disposal Other Assets Capital | - | 11,600.00 | - | Actuals are for fencing works at Kirknie Landfill. |
| - | - | - | 47102 - Caravan Parks Other Assets Capital | 22,500.00 | 223.19 | -99% | Budget \$7,500 Actual \$223 HHCP replace powerheads (x 5). 2 powerheads installed so far. Budget \$15,000 HHCP fence. Works deferred pending investigation of boundary. |
| - | - | - | 47501 - Swimming Pool Buildings Capital | 33,000.00 | 8,104.07 | -75% | Budget \$23,000 Ayr Pool replace shade sails. Order placed \$21,528. Works planned for September 2016. Budget \$10,000 Ayr Pool office/kiosk, replace load bearing posts on external awning. Capital budget now not required. Alternative repair work done and covered in operational. Actual of \$8,104 for Pool Design progress payment funded from carry over. |
| Total | | | | 65,500.00 | 33,797.93 | | |

MOPS - Manager Operations

| | | | | | | | |
|--------------|---|-------|---|------------|------------|-------|---|
| (250,670.00) | - | -100% | 43302 - Parks Other Assets - Capital | 724,142.00 | 35,562.41 | -95% | Budget \$400,000 Mt Inkerman lookout facilities upgrade. Budget \$50,000 Miscellaneous park furniture - discuss priorities with Council. Budget \$50,000 Shade structures and playground equipment - discuss priorities with Council. Budget \$50,000 Ayr Skate Park shade structures - Funding application submitted under the State Government Get Playing Places and Spaces program. Budget \$174,142 Plantation Park and Juru Walk Development. Expenses are for Plantation Park and Juru Walk development - completion October 2016. Progress payment claim to be submitted in September. |
| - | - | - | 44102 - Cemetery Other Assets Capital | 50,000.00 | - | -100% | Budget \$50,000 Ayr Cemetery Mackenzie Street entry statement - Quotes currently being solicited. |
| - | - | - | 45101 - Public Conveniences Buildings - Capital | 55,000.00 | - | -100% | Budget \$55,000 Cromarty Boat ramp - replace existing public toilet. Investigating suitable replacement |
| - | - | - | 61110 - Sewerage Reticulation Capital | 240,000.00 | 197,490.13 | -18% | Budget \$200,000 Sewerage replacement/refurbishment of assets. Budget \$40,000 Ayr Industrial Estate expansion project - Sewerage. Expenses are for progress payment for Sewer reline Contract |
| - | - | - | 62120 - Pump Stations Capital | 640,000.00 | 113,380.12 | -82% | Budget \$600,000 - Sewer Pump Station switchboard replacement program - awaiting outcome of Building Our Regions Application Budget \$40,000 HH No 1 SPS rising main duplication (survey and design). Expenses are for SPS switchboard designs and SPS Telemetry upgrades. |
| - | - | - | 63140 - Sewerage Treatment Capital | 40,000.00 | 3,235.00 | -92% | Budget \$40,000 Ayr WWTP refurbish secondary digester bridge. |



BURDEKIN SHIRE COUNCIL
MONTHLY REPORT - CAPITAL PROJECTS
Period Ending 31 August 2016

| Income Actual to | | Variance | Description | Expenditure | | | Comments |
|---|---------------------|----------|---|----------------------|---------------------|----------|---|
| Budget | Period End | | | Budget | Actual to Period | Variance | |
| - | - | - | 71001 - Water Production Capital | 300,000.00 | - | -100% | Budget \$200,000 Water supply replacement/refurbishment of assets. Budget \$75,000 Relocation 100mm water main Invicta Mill Girt - Works to be scheduled outside of crushing season. Budget \$25,000 Ayr Industrial Estate expansion project - Water. |
| (160,790.00) | - | -100% | 72120 - Water Treatment Capital | 851,975.00 | 20,707.08 | -98% | Budget \$450,000 - South Ayr WTP switchboard replacement - Quotations for design being sought through Local Buy. Budget \$401,975 - South Ayr WTP install variable speed drive - works progressing. Due for completion October 2016 Expenses of \$20,507 are for VSD project. |
| - | - | - | 73140 - Water Reticulation Capital | - | 6,647.66 | - | Expenses for Burke Street Scour ancillary works. |
| (411,460.00) | - | | Total | 2,901,117.00 | 377,022.40 | | |
| MTS - Manager Technical Services | | | | | | | |
| (1,941,000.00) | (169,314.77) | -91% | S1101 - Roadworks Capital | 5,826,000.00 | 639,970.06 | -89% | Budget \$5,600,000 Actual \$639,970 Roadworks. |
| - | - | - | S1130 - Reseals - Capital | 900,000.00 | - | -100% | Budget \$226,000 Ayr Industrial Estate expansion - Roadworks. Reseal design to commence August. Works to be completed during November - May period |
| - | - | - | S1620 - Drainage - Capital | 270,000.00 | 155,737.99 | -42% | Budget \$250,000 Actual \$155,738 Drainage - Twelfth Avenue, Sixth Street, Fourteenth A Street, Lando Street, South Ayr open drain. |
| (410,000.00) | - | -100% | S5150 - Light Vehicles - Fleet Capital | 1,200,000.00 | - | -100% | Budget \$20,000 Ayr Industrial Estate expansion - Drainage. Specifications being prepared. |
| (70,000.00) | - | -100% | S5151 - Trucks - Fleet Capital | 420,000.00 | - | -100% | Quotations called for two gravel trucks. Orders to be placed in September with delivery expected December/January |
| (18,000.00) | - | -100% | S5152 - Machines - Fleet Capital | 90,000.00 | - | -100% | Quotations called for Backhoe. Order to be placed in September with delivery expected before December. |
| (7,000.00) | - | -100% | S5153 - Plant & Equipment - Fleet Capital | 90,000.00 | 54,512.00 | -39% | Actual \$54,512 laser level and scissor lift carryover from prior year. Quotation called for replacement tractor. Order to be placed in September with delivery expected before December. |
| (2,446,000.00) | (169,314.77) | | Total | 8,796,000.00 | 850,220.05 | | |
| (2,937,460.00) | (231,396.77) | | TOTAL CAPITAL PROJECTS | 12,445,217.00 | 1,266,990.99 | | |

4.2 Operating Statement for Period Ending 31 August 2016

Recommendation

That the Operating Statement for the Period Ending 31 August 2016 be received.



**BURDEKIN SHIRE COUNCIL
OPERATING STATEMENT
Period Ending 31 August 2016**

| | Note | Actual YTD | YTD Original Budget | \$ Variance Actual to Original | % Variance Actual to Original |
|--|------|----------------------|----------------------|--------------------------------|-------------------------------|
| Operating Revenue | | | | | |
| Rates and Utility Charges | 1 | 35,773,620.40 | 37,720,525.00 | -1,946,905 | -5% |
| Pensioner remissions | | -290,956.39 | -292,000.00 | 1,044 | 0% |
| User fees and charges | 2 | 482,669.82 | 314,512.50 | 168,157 | 53% |
| Interest Received | 3 | 117,482.98 | 280,766.67 | -163,284 | -58% |
| Operational contributions and donations | 4 | 41,282.49 | 31,445.50 | 9,837 | 31% |
| Operational grants and subsidies | 5 | 859,430.79 | 608,382.00 | 251,049 | 41% |
| Contract and recoverable works | 6 | 42,743.12 | 282,916.67 | -240,174 | -85% |
| Other operating revenue | 7 | 19,707.27 | 22,808.33 | -3,101 | -14% |
| Total operating revenue | | 37,045,980.48 | 38,969,356.67 | -1,923,376 | -5% |
| Operating Expenses | | | | | |
| Employee benefits | 8 | 2,897,285.36 | 3,246,850.33 | -349,565 | -11% |
| Materials and services | 9 | 2,688,592.76 | 2,494,195.00 | 194,398 | 8% |
| Depreciation and amortisation | 10 | 1,749,239.00 | 1,764,900.00 | -15,661 | -1% |
| Finance Costs | 11 | 9,259.36 | 0.00 | 9,259 | - |
| Other expenses | | 3,178.91 | 0.00 | 3,179 | - |
| Total operating costs | | 7,347,555.39 | 7,505,945.33 | -158,390 | -2% |
| Surplus (deficit) from operating activities | | 29,698,425.09 | 31,463,411.33 | -1,764,986 | -6% |
| Capital contributions | | 0.00 | 0.00 | 0 | - |
| Capital grants and subsidies | 12 | 231,396.77 | 405,410.00 | -174,013 | -43% |
| Other capital income (expense) | | 0.00 | 0.00 | 0 | - |
| Net result for period | | 29,929,821.86 | 31,868,821.33 | -1,938,999 | -6% |

as at 13/09/2016 12:03 PM

**BURDEKIN SHIRE COUNCIL
OPERATING STATEMENT
NOTES FOR VARIANCES TO BUDGET
Period Ending 31 August 2016**

Note

- 1 Rates and Utility Charges**
Rates are on target - the negative variance will be negated by six monthly water consumption charges and recognition of rates in advance of approximately \$1.1M at the end of the financial year.
 - 2 User Fees and Charges**
Ahead of budget, mainly animal management and trade waste (due to annual animal registration fees and annual trade waste fees being raised in July). Caravan park income ahead of budget due to season variability.
 - 3 Interest Received**
Council has longer term investments which were selected based on more advantageous interest rates. Budget should be met by the end of the financial year.
 - 4 Operational Contributions and Donations**
Ahead of budget as majority of income has been received from the Herbicide Subsidy Scheme. Other income received includes contributions by various community organisations towards electricity costs and donations from Funny Dunny Park and the Comfort Stop.
 - 5 Operational Grants and Subsidies**
The first quarter Financial Assistance Grant has been received.
 - 6 Contract and Recoverable Works**
The income is behind due to the timing and payment of main roads claims. Private works income is received throughout the year.
 - 7 Other Operating Revenue**
Includes unbudgeted income for theatre shows, washing machine takings at Burdekin Cascades Caravan Park and sale of IT equipment. Budgeted income includes scrap metal sales and second hand sales at transfer stations.
 - 8 Employee Benefits**
Employee benefits below budget mainly due to the annual workers compensation payment not yet paid, fringe benefits tax payment not yet paid (paid quarterly from September), unfilled positions and delay in EBA negotiations. Movement in annual leave and long service leave provisions will be journaled at the end of the financial year. Oncost recovery to be reviewed in next budget revision.
 - 9 Materials and Services**
Annual insurance premiums and software agreements paid in full in July. Annual computer purchases which were delayed in the 2015/16 financial year have now been finalised. Includes unbudgeted donation to Chaplaincy.
 - 10 Depreciation and Amortisation**
Depreciation currently estimated, estimate will be reversed when actual depreciation has been calculated.
 - 11 Finance Costs**
This budget mostly consists of interest paid on QTC loans. As interest is paid quarterly, the budget is calculated quarterly - will have a zero budget balance until September. Current actual balance of \$9,259.36 consists of bank fees.
 - 12 Capital Grants and Subsidies**
Includes income received from TIDS, first payment for Beach Road Cycleway and Multi Tenant Centre grant.
-

5 GOVERNANCE & LOCAL LAWS

5.1 Adoption Of Revised No Smoking Policy

Document Information

Referring Letter No: N/A

File No: N/A

Name of Applicant: N/A

Location: N/A

Author and Title: Rebecca Woods- Executive Officer

Executive Summary

Council last adopted a revised No Smoking Policy in December 2012 and this policy was due for review in December 2015. The policy has been reviewed and updated by council officers and is presented to Council for adoption.

Recommendation

That Council adopts the attached No Smoking Policy.

Background Information

The Queensland Government introduced changes to the tobacco laws which took effect on 1 September, 2016. The policy has been updated to reflect these changes. Other changes to the policy include a reference to electronic cigarettes, support for staff to use the Quitline program to give up smoking, clarification on so smoking on outdoor worksites where another worker is within 10 meters and a new statement on not allowing smoking to impact on efficiency of tasks in the workplace.

Link to Corporate/Operational Plan

5.4.1 Maintain Council's commitment to ensure a safe and healthy work environment for all employees.

Consultation

This policy was reviewed and updated by council's Safety & Quality Coordinator Bradley Hutchinson.

Legal Authority or Implications

Tobacco and Other Smoking Products Act 1998

Policy Implications

This policy will be updated in Council's policy register and will replace the existing No Smoking Policy.

Financial and Resource Implications

N/A

Report prepared by:

Rebecca Woods- Executive Officer

Report authorised by:

Matthew Magin- Chief Executive Officer

Attachments

1. No Smoking Policy



Commencement Date: 2 July 2003

Function: Work Health & Safety and Quality Assurance

RESPONSIBILITIES

| | |
|---------------------------|---|
| Policy Owner | <i>CEO</i> |
| Policy Contact | <i>Work Health & Safety Committee</i> |
| Approval Authority | <i>Council</i> |
| Next Review Date | |

REVISION HISTORY

| Rev | Status | Date | Approve/Meeting | Resolution/Document No. |
|------------|----------------|-------------------|---|--------------------------------|
| 0 | <i>DRAFT</i> | <i>02/07/2003</i> | <i>Work Health & Safety Committee</i> | |
| 1 | <i>Adopted</i> | <i>24/07/2003</i> | <i>Council - Ordinary Meeting</i> | |
| 2 | <i>Adopted</i> | <i>18/12/2012</i> | <i>Council - Ordinary Meeting</i> | <i>1221628 – 6.2</i> |
| 3 | <i>Amended</i> | <i>Jun 2016</i> | | |
| 3 | <i>Adopted</i> | <i>XX/XX/XXXX</i> | | |

1 PURPOSE

The purpose of this policy is to promote a consistent approach to smoking during working hours and to ensure that Council complies with Queensland tobacco laws.

2 SCOPE

This policy applies to all persons when in Council workplaces.

3 DEFINITIONS

Workplace includes all Council vehicles, plant, work sites and buildings.

Council employees includes employees, contractors, volunteers and all others performing work on behalf of council.

Dining area – means an area which has been designated for the consumption of food or drink or where food or drink is regularly consumed.

Electronic cigarettes – also known as e-cigarettes, e-cigars, vape pens or personal vaporisers which heat liquid containing nicotine into a fine vapour for inhalation into the lungs.

4 POLICY STATEMENT

Council has an obligation to its employees to minimise the health risk presented by exposure to passive smoking, and has adopted an approach to prevent workplace exposure to tobacco smoke.

4.1 Smoking is not permitted within any Council workplace, except in designated smoking areas or within 10 metres of any person at an outdoor work site.

4.2 Smoking is not permitted within any enclosed areas and spaces.

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- 4.3 Smoking is not permitted within any dining areas, including outdoor eating areas provide by a business.
 - 4.4 Smoking is not permitted within 5 metres of an **entrance** to all non-residential buildings, which includes all Council building entrances.
 - 4.5 Smoking is not permitted within 5 metres of the **boundary** to any school or early childhood education and childcare facility. This applies at all times including weekends and school holidays.
 - 4.6 Smoking is not permitted within 5 metres of the **boundary** to hospital, healthcare and aged care facility.
 - 4.7 Smoking is not permitted at or within 10 metres of any part of children's playground equipment located in Council parks, and at under 18 sporting event or a public skate park.
 - 4.8 Smoking in not permitted within 5 metres of any public transport waiting points such as bus stops and taxi ranks.
 - 4.9 The use of electronic cigarettes are subject to the same laws as regular cigarettes as prescribed under the amendments to the Tobacco Act.
 - 4.10 Council supports the workers choice to give up smoking through the ongoing support and assistance of employees to access the Quitline program.
 - 4.11 Employees participating in smoking shall not inhibit the progress of work or the efficiency of the activities being undertaken.
 - 4.12 Any breach of this policy by an employee will be dealt with in line with Councils disciplinary processes.

5 LEGISLATION

Tobacco and Other Smoking Products Act 1998

Tobacco and Other Smoking Products Regulation 2010

Work Health and Safety Act 2011

Work Health and Safety Regulation 2011

6 ASSOCIATED DOCUMENTS

Nil

5.2 Adoption Of Revised Quality Policy

Document Information

Referring Letter No: N/A

File No: 1206

Name of Applicant: N/A

Location: N/A

Author and Title: Rebecca Woods- Executive Officer

Executive Summary

Council adopted a revised Quality Policy in 2011 with a review date of 30 August 2014. The Policy has been reviewed and updated by council officers and is presented to Council for adoption.

Recommendation

That Council adopts the attached Quality Policy.

Background Information

The Quality Policy has been updated in capture the correct scope of the quality system. No further changes have been made to the policy

Link to Corporate/Operational Plan

5.3.3 Adhere to the governance framework and public reporting systems

Consultation

This policy was reviewed and updated by Council

Legal Authority or Implications

This policy has been developed to comply with Australian Standard AS/NZS ISO 9001:2008, Quality management systems.

Policy Implications

This policy will be added to council's policy register and will replace the existing Quality Policy.

Financial and Resource Implications

N/A

Report prepared by:

Rebecca Woods- Executive Officer

Report authorised by:

Matthew Magin- Chief Executive Officer

Attachments

1. DRAFT Quality Policy 2016



Commencement Date: 30 August 2011

Function: Workplace Health & Safety and Quality Assurance

RESPONSIBILITIES

| | |
|---------------------------|--|
| Policy Owner | <i>Chief Executive Officer</i> |
| Policy Contact | <i>Safety and Productivity Coordinator</i> |
| Approval Authority | <i>Council</i> |
| Next Review Date | <i>30 June 2018</i> |

REVISION HISTORY

| Rev | Status | Date | Approve/Meeting | Resolution/Document No. |
|------------|---------------|-------------|----------------------------|--------------------------------|
| 0 | Adopted | 30/08/2011 | Council | 1103145 - 15 |
| 1 | Amended | Jun 2016 | | |
| 2 | Adopted | XX/XX/XXXX | Council – Ordinary Meeting | |

1 PURPOSE

The purpose of the quality policy is to convey Burdekin Shire Council's commitment to managing the quality of products and services provided by the council and to the continual improvement of the effectiveness of our quality management system.

The aims of this policy are to:

- effectively communicate Council's quality principles;
- guide the development of practices and procedures throughout the organisation that achieve our quality objectives;
- promote quality awareness; and
- develop an organisational culture of continual improvement.

2 SCOPE

This policy applies to construction and maintenance activities of Council's Works Section of the Operational Department, including all other supporting sections, officers and suppliers.

3 DEFINITIONS

'council officer' includes councillors, employees, contractors and volunteers.

4 POLICY STATEMENT

4.1 Commitment

- 4.1.1 Council will maintain and improve its quality management system.
- 4.1.2 The quality management system will facilitate application of the quality principles outlined in this policy.
- 4.1.3 Council will provide the appropriate human resources, training, infrastructure and work environment required to achieve quality objectives within budgetary constraints.

4.2 Establishment of Quality Management System Objectives

- 4.2.1 Quality objectives shall be measurable and consistent with this policy.
- 4.2.2 Quality objectives for Burdekin Shire Council are established and reviewed as part of the operational planning process and with reference to the quality principles outlined in this policy.
- 4.2.3 Specific quality objectives for Council's key products and services are established with reference to relevant legislation, regulations, service level standards, intervention levels and the quality principles.

4.3 Certification

The quality management system is currently certified to Australian Standard ISO 9001:2008 for the purposes of civil engineering in works design, works construction, works maintenance and plant management. Certification is provided by an external certification body.

- 4.3.1 The current quality management system for the Works Section of the Operations Department and support functions will continue to meet ISO 9001 certification requirements.
- 4.3.2 The quality management system, as it relates to the balance of Council's activities, will continue to move towards ISO 9001 compliance.

4.4 Review

- 4.4.1 The quality management system, including this policy, will be periodically reviewed by management to ensure its continuing suitability, adequacy and effectiveness.

5 PRINCIPLES

Achievement of Council's quality objectives requires a commitment from all council officers and suppliers to follow Council's corporate practices and procedures, and to apply the following quality principles in their duties:

5.1 Customer focus

Understand customer values and provide appropriate products and services.

5.2 Leadership

Lead by example, provide clear direction, and create an environment that supports the achievement of organisational objectives.

5.3 Process approach

In order to improve output, improve the process.

5.4 Systems approach to management

Managing interrelated processes as a system improves efficiency and effectiveness in achieving organisational objectives.

5.5 Continual improvement

Seek to identify opportunities for continual improvement. Management supports, promotes and recognises contributions by Council officers towards continual improvement, improved efficiency and technological innovation.

5.6 Factual approach to decision making

Use facts and data as the basis for decision making.

5.7 Involvement of people

The involvement of people, at all levels, enables their creativity and knowledge to be used for the organisation's benefit.

5.8 Mutually beneficial supplier relationships

Establish mutually beneficial supplier relationships that enable both parties to create value.

Council officers are obliged to actively participate in the delivery of quality products and services and to embrace change so that together we create a vibrant, progressive, connected and sustainable region.

6 LEGISLATION

AS/NZS ISO 9001:2008, Quality management systems - Requirements

7 ASSOCIATED DOCUMENTS

Burdekin Shire Council Quality Manual

5.3 Application for Approval - Commercial Use of Local Government Controlled Area and Roads - Dal Santo's Continental Deli - Roadside Vending

Document Information

Referring Letter No: 1526572 and 1526571

File No: 649

Name of Applicant: Laurence and Carla Dal Santo

Location: Plantation Park, 11-15 Kennedy Street, Ayr

Author and Title: Rachel Martin - Governance and Local Laws Support Officer

Executive Summary

Council received an application for Approval of Commercial Use of Local Government Controlled Areas and Roads on 29 August 2016 from Laurence and Carla Dal Santo. Mr and Mrs Dal Santo plan to operate a Dal Santo's Deli mobile food van in Plantation Park selling sandwiches, assorted bakery products, cold drinks and coffee. Mrs Dal Santo would like to set up between the shelter shed and Tourist Information Hut. They also plan to operate the van at various locations throughout Burdekin Shire and attend Burdekin markets and events. Mr and Mrs Dal Santo have also applied for an Approval to Install an Advertising Device being for advertising flags which will be located within the vicinity of Plantation Park.

Recommendation

That Council approves the application from Mr and Mrs Dal Santo for Approval of Commercial Use of Local Government Controlled Areas and Roads to operate a mobile food van at the nominated location within Plantation Park and on other roads within the Shire, subject to standard terms and conditions.

Background Information

Mr and Mrs Dal Santo operate Dal Santo's Deli in Parker Street, Ayr. The proposed mobile food van will be an extension to this business. The Dal Santo's have applied for trading hours between 6.00am and 7.00pm, 7 days a week when located at Plantation Park and also for mobile vending at any time.

Due to the proposed location of the operation within Plantation Park, Mr and Mrs Dal Santo are not required to get approval from Main Roads and the approval from Council will be subject to standard terms and conditions including for instance, the need for appropriate \$10 million public liability cover for the site.

Historically, Council previously approved the location of the existing fruit and vegetable stall at Plantation Park on 12 November 2013. Annual renewals have since been approved for this site.

The fruit and vegetable site had met with concerns from Transport and Main Roads (TMR). TMR advised by letter dated 4 October 2013 that they considered this site unsafe for roadside vending for various reasons and suggested a site further inside the park. These comments have been taken into account with the current application.

The application for an approval to install an advertising device includes 6 signs of which 4 are located in the TMR road reserve. Advice is being sought from TMR in relation to their position on signs within the road reserve.

Following receipt of the TMR advice, the signage application will be negotiated with the applicant and approval provided administratively subject to standard terms and conditions.

Link to Corporate/Operational Plan

2.2.3 Support the development and expansion of existing business

Consultation

Applicants.

Legal Authority or Implications

Compliance with Subordinate Local Law 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2012; Subordinate Local Law 1.4 (Installation of Advertising Devices) 2012; TMR – Roadside Advertising Guide.

Policy Implications

N/A

Financial and Resource Implications

Application fee paid. A renewal fee of the annual site fees will apply each year to keep the approval current. As per Council's fees and charges if a fee is paid for an approval of commercial use of roads, no further fee is required for the advertising devices.

Report prepared by:

Rachel Martin - Support Officer – Governance and Local Laws

Report authorised by:

Dan Mulcahy – Manager Governance and Local Laws

Attachments

1. N/A

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 Submission of Application - South Ayr Water Treatment Plant Switchboard Upgrade

Recommendation

That Council supports the submission of an application under the 2016-17 Grants and Subsidies Programs for the project “South Ayr Water Treatment Plant Switchboard Upgrade” with Council funding 50% of the total project cost and committing to the future maintenance funding of the asset.

13.2 Submission of Application - Ayr Pool Refurbishment

Recommendation

That Council supports the submission of an application under the 2016/17 Grants and Subsidies Programs for the project “Ayr Pool Refurbishment” with Council funding 50% of the total project cost and committing to the future maintenance funding of the asset.

14 CORRESPONDENCE FOR INFORMATION

Tabled Separately

15 GENERAL BUSINESS

16 CLOSED MEETING ITEMS

17 DELEGATIONS

17.1 Presentation - Reef Guardian Council Program

10.00am – Ms. Sandra Garvin, Project Manager - Reef Guardian Councils of Great Barrier Reef Marine Park Authority to present to Council the Reef Guardian Council Program.

17.2 Presentation - Department of State Development – Queensland Biofutures Road Map

11.00am – Ms. June Powell, Acting Regional Director – North Queensland, Mr. Michael Burke, Director – Biofutures Unit and Mr. Michael Allen, Executive Director – Major Projects and Property Group from the Department of State Development are to present to Council the Queensland Government Biofutures Roadmap Initiative.