



**BURDEKIN SHIRE COUNCIL**



# **AGENDA**

## **ORDINARY COUNCIL MEETING**

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

**on 28 February 2017**

**COMMENCING AT 9:00AM**

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**TUESDAY 28 FEBRUARY 2017**

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# BURDEKIN SHIRE COUNCIL



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County of Gladstone)

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## **1 PRAYER**

## **2 DECLARATIONS OF INTEREST**

## **3 MINUTES AND BUSINESS ARISING**

### **3.1 Ordinary Council Meeting Minutes - 14 February 2017**

#### **Recommendation**

That the minutes of the Ordinary Council Meeting held on 14 February 2017 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 14 February 2017**

**COMMENCING AT 9:00AM**



TUESDAY 14 FEBRUARY 2017

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Ordinary Council Meeting 14 February 2017



## 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. T. Brennan - Chief Executive Officer  
Mr. D. Mulcahy – Manager Governance and Local Laws  
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  
Mrs. E. Robinson – Manager Client Services

Minutes Clerk – Mrs. S. Saunders

## **1 PRAYER**

The meeting prayer was delivered by Pastor Gavin Henderson of the Ayr and Home Hill Presbyterian Churches.

## **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 - 24 January 2017**

#### **Recommendation**

That the minutes of the Ordinary Council Meeting held on 24 January 2017 be received as a true and correct record.

#### **Resolution**

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

CARRIED



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### **3.2 Burdekin Be Active Advisory Committee Meeting Minutes - 9 November 2016**

#### **Recommendation**

That the minutes of the Burdekin Be Active Advisory Committee Meeting held on 9 November 2016 be received and adopted.

#### **Resolution**

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

CARRIED

## **4 REPORTS**

## **5 GOVERNANCE & LOCAL LAWS**

### **5.1 Operational Plan - End of Second Quarter Comments 2016/2017**

#### **Executive Summary**

The end of second quarter comments for the 2016/2017 Operational Plan have been collated and are now presented to Council. A “traffic light” reporting system shows activities that are on target, below target or inactive.

#### **Recommendation**

That Council receives the attached end of second quarter report for the 2016/2017 Operational Plan.

#### **Resolution**

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

CARRIED

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## **6 CLIENT SERVICES**

### **6.1 Capital Purchase for Ice Machine - Jones Street Depot**

#### **Executive Summary**

The Work Health and Safety Committee had discussions and recommended the purchase and installation of an ice machine at the Jones Street Depot, when safety concerns were raised regarding the provision of cool water to staff working outdoors,

The design of the ice machine evaluated is to support the supply of up to 60kg of ice (approx. 1kg of ice per person) via a dispenser system. The dispenser style system will avoid any hygiene and contamination issues within the ice machine or personal water bottles.

The provision of the ice machine will assist with other existing process to minimise the impacts of heat on worker working in hot condition and prevent occurrences of heat stress incidents presenting within the workforce.

#### **Recommendation**

That Council support the recommendation of the Work Health & Safety Committee for the purchase and installation of an ice machine at the Jones Street Depot, Ayr.

Council approve the additional capital expense of up to \$10,000 for the purchase of the ice machine.

#### **Resolution**

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

CARRIED

## **7 FINANCIAL & ADMINISTRATIVE SERVICES**

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## **8 OPERATIONS**

### **8.1 Revision of the Parks Maintenance Service Level Manual**

#### **Executive Summary**

The most recent revision of the Parks Maintenance Service Level Manual was adopted by Council on January 14, 2011. As such the document was due for revision.

Councillors were given the opportunity to review an amended draft copy of Parks Maintenance Service Level Manual at the Council Meeting of Tuesday 6<sup>th</sup> December, 2016. At the meeting Councillors applied the service hierarchy criteria from the previously adopted Parks Maintenance Service Level manual to all parks and open spaces listed within the shire.

The Councillors were afforded opportunity to make comments and suggest changes as a collective and any recommendations taken from the meeting have been incorporated into the Parks Maintenance Service Level Manual – Version 2.6 attached to this report.

#### **Recommendation**

It is recommended that Council adopt the Parks Maintenance Service Level Manual attached to the report.

#### **Resolution**

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

CARRIED

## **9 TECHNICAL SERVICES**

## **10 PLANNING & DEVELOPMENT**

## **11 COMMUNITY DEVELOPMENT**

## **12 ECONOMIC DEVELOPMENT**

## **13 NOTICES OF MOTION**



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## **14 CORRESPONDENCE FOR INFORMATION**

### **14.1 Community Grants Request - Ayr Pastoral Agricultural and Industrial Association Inc.**

#### **Resolution**

Moved Councillor Goddard, seconded Councillor Bawden that Council approves the waiving of hire fees for the Ayr Show Grounds from the 19 June – 9 July 2017 including electricity charges, along with access to relevant electrical and plumbing support as required, to stage the Annual Burdekin Show in recognition of the Ayr Pastoral Agricultural and Industrial Association Inc. for providing this event for the Burdekin community.

CARRIED

### **14.2 Request - Pedestrian Gate - Home Hill Bowls Club Inc.**

#### **Resolution**

Moved Councillor Liessmann, seconded Councillor Bonanno that Council supports the request of Home Hill Bowls Club for the installation of a pedestrian gate between the playground and Bowling Green on Ninth Avenue Home Hill.

CARRIED

## **15 GENERAL BUSINESS**

### **15.1 Building Our Regions Round 3 Program Funding Applications**

10.25am - Councillor Goddard declared a perceived Conflict of Interest as he resides on Edward Street, Ayr. Due to the late submission of report, Councillor Goddard did not previously advise of his Declaration of Interest. Councillor Goddard left the Council Chambers.

#### **Resolution**

Moved Councillor Bonanno, seconded Councillor Liessmann that Council approves the submission of applications under the Queensland Government Department of State Development's Building Our Regions Round 3 for "Burdekin Waste Water Treatment Plants Upgrade/Refurbishment" project, noting that Council's contribution from the 2017/18 budget would be \$423,000 or 60% of the total project costs of \$705,000; and "Edwards Street Drainage Upgrade" project, noting that Council's contributions from the 2017/18 budget would total \$700,000 or 50% of the total project cost of \$1,400,000.

CARRIED

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10.27am – Morning Tea

Mrs. K. Olsen - Manager Financial and Administrative Services left the meeting.

10.49am – Resumed meeting.

Councillor Goddard returned to the meeting.

### **15.2 Approved Leave of Absence - Councillor Goddard**

#### **Resolution**

Moved Councillor Woods, seconded Councillor Liessmann that Council approve leave of absence for Councillor Goddard from 6 March 2017 to 16 March 2017.

CARRIED

### **15.3 Approved Leave of Absence - Councillor Woods**

#### **Resolution**

Moved Councillor Perry, seconded Councillor Goddard that Council approve leave of absence for Councillor Woods for 16 February 2017.

CARRIED

### **15.4 Request - Use of Council Bus - 2017 Townsville North Queensland Events Launch - 22 February 2017**

#### **Resolution**

Moved Councillor Liessmann, seconded Councillor Perry that Council approves the attendance of Councillor Woods at the 2017 Townsville North Queensland Events Launch in Townsville on the 22 February 2017 and support Burdekin Tourism Association in-kind by providing the use of Council's bus to transport members from Ayr to Townsville and return to attend this event.

CARRIED

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Councillor Goddard on behalf of Rotary Clubs of Ayr and Home Hill acknowledged the assistance provided by the Burdekin Shire Council in implementing the Rotary Youth Driver Awareness Program due to be held on 3 March 2017.

## **16 CLOSED MEETING ITEMS**

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

#### **Resolution**

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

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.

- Acquisition of land for proposed drainage easement

CARRIED

### **Council Meeting opened to Public**

#### **Resolution**

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

CARRIED

## **15 GENERAL BUSINESS**

### **15.5 Proposed Drainage Easement Lot 2 RP741208**

#### **Resolution**

Moved Councillor Woods, seconded Councillor Bawden that Council resolves to acquire by negotiation, an easement for drainage purposes 3 metres wide over part of lot 2 RP741208.

CARRIED



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## **15.6 Submission - Works for Queensland Program**

### **Resolution**

Moved Councillor Woods, seconded Councillor Goddard that Council approves the submission of an application to the Works for Queensland Program administered by the Department of Infrastructure, Local Government and Planning.

CARRIED

## **17 DELEGATIONS**

There being no further business the meeting closed at 11.40am

**These minutes were confirmed by Council at the Ordinary Council Meeting held on 28 February 2017.**

**MAYOR**



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### **3.2 Burdekin Be Active Committee Meeting Minutes - 1 February 2017**

#### **Recommendation**

That the minutes of the Burdekin Be Active Advisory Committee Meeting held on 1 February 2017 be received and adopted.

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**MINUTES**  
**BURDEKIN BE ACTIVE COMMITTEE MEETING**  
**HELD AT ERNIE FORD BOARDROOM**  
**On 1 February 2017**  
**COMMENCING AT 3.30PM**

**ATTENDANCE**

Mr. Tony Vaccaro – Manager Community Development  
Mr. Charles Ford – Burdekin Men's Shed Association  
Mrs. Melissa Stanford – Senior Advisory NQ Sport & Recreation  
Mrs. Jeannie Zonta – Burdekin Centre for Rural Health  
Mrs. Mary-Anne Fraser – Queensland Health  
Ms. Christine Monday – Burdel  
Mr. Tim Oberg – CEO Parkrun Australia (via teleconference)

Minutes Clerk – Mrs. Lauren McKaig

Apologies – Cr. John Bonanno, Cr. Lyn McLaughlin (Mayor), Nicholas Bent – NQ Regional Manager Good Sports Australia, Mrs. Natalie Saroglia – Burdekin Neighbourhood Centre, Mrs. Kelli Dabelstein – Burdekin Road Runners and Walkers representative and Mr. Pat Shannon – First in Physio, Ms. Lisa Tropea – Burdekin Centre for Rural Health.

**2 MINUTES AND BUSINESS ARISING**

**2.1 Burdekin Be Active Advisory Group Meeting Minutes – 9 November 2016**

**Recommendation**

That the minutes of the Burdekin Be Active Advisory Group Meeting held on 9 November 2016 be received as a true and correct record.

**Resolution**

Moved Mrs. Stanford, seconded Mr. Ford that the recommendation be adopted.

CARRIED

**3 CORRESPONDENCE**

**3.1 Sport and Recreation Conference – 17-18 March 2017**

Mrs. Stanford said the conference was designed based on feedback from northern region sport and recreation clubs and groups. She said it will host a number of good presenters and was specifically tailored to focus on key local issues to help build an organisation's capacity, inspire new ideas and help groups take on challenges in the changing world of sport and recreation.

**3.2 Building Active Communities Workshops: Sports Strapping – 21 & 28 February 2017**

Mrs. Stanford advised that if Burdekin wanted to host Building Active Communities Workshops locally each workshop needed 35 participants to go ahead.

**4 SPORT AND RECREATION PLANNING STUDIES**

Mr. Vaccaro advised that Council had submitted an application for the Sport and Recreation Program that will provide grants up to \$100,000 to Queensland's state sport and recreation organisations, local governments and other peak bodies to undertake sport and recreation planning research.

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Mrs. Stanford advised that review of the applications would take place throughout February 2017.

#### **4 TOWNSVILLE ENTERPRISE LIMITED (TEL) SCOPING EXERCISE 2015**

Mr. Vaccaro is still investigating the outcomes of TEL's 2015 sport scoping exercise.

#### **5 COMBINED SPORT CLUB SIGN ON DAY**

Mrs. McKaig advised that planning for a combined sport club sign on day had been held over for 2018 with expressions of interest to be arranged mid-2017; while sporting club committees are all still active.

Mr. Vaccaro left the meeting at 4.15pm

#### **6 BURDEKIN PARKRUN UPDATE**

Mrs. McKaig advised that CEO Parkrun Australia, Mr. Oberg was unable to submit an application for funding on behalf of Council, as previously discussed, due to an untimely illness. Mr. Oberg joined the meeting via teleconference to provide the group with a complete overview of the program, how it works and how to get Burdekin Parkrun started.

Mr. Oberg suggested that he, with Council's permission, could set up a 'Burdekin Parkrun' Facebook page to prospect for volunteers and participants. He also said Council should investigate grants to cover the \$5000 start-up costs – which include all the equipment and ongoing online support required to run the program.

Mrs. Stanford suggested that participants from Council's 2016 'ladies only Get Out, Get Active' program would be a great target market for Burdekin Parkrun.

Mrs. Zonta suggested that Burdekin Parkrun could become involved in this year's Burdekin Queensland Day event. She said Council could host a stall where participants could learn about the program, sign up and participate in a fun 5km run on the day.

There being no further business the meeting closed at 4.45pm

Next Meeting – Wednesday, 5 April 2017 at 3.30pm in John Hy Peak Meeting Rooms

**Mr. Tony Vaccaro**  
**Chair**

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### **3.3 Adoption of Audit Committee Meeting Minutes 8 February 2017**

#### **Recommendation**

That the minutes of the Burdekin Shire Council Audit Committee Meeting held on 8 February, 2017 be received and adopted.



## Minutes

### Audit Committee Meeting

<b>Meeting</b>	Audit Committee Meeting		
<b>Date</b>	Wednesday, 8 February 2017	<b>Time</b>	9am- 10:50am
<b>Attendees</b>	Ian Jessup (Chair), Jim Fahey, Jim Nuttall, Cr. John Woods, Cr. Sue Perry, Cr Lyn McLaughlin (observer), CEO Terry Brennan, Kim Olsen, Fiona Smith (for part), Rebecca Woods, Bradley Hutchinson (for part), Eileen Robinson (for part)  QAO via telephone: Natalia Kolakowski, Dale Hassell		
<b>Apologies</b>	Nil		
<b>Minutes Clerk</b>	Rebecca Woods		

### Minutes

1. **Apologies-** Nil
2. **Declaration of Interests-** Nil
3. **Minutes from Previous Meeting**  
Minutes from the previous meeting were agreed to be true and correct. Moved Cr Woods, seconded Cr Perry that the minutes from the previous meeting be adopted. Carried.
4. **Adoption of proposed audit committee meetings and agenda items**  
The proposed Audit Committee Meeting Schedule and Agenda Items were discussed. Changes included moving the meeting dates for Meeting 2- back one week to 10<sup>th</sup> May 2017 and Meeting 4 brought forward one week to 30<sup>th</sup> of August 2017. It was also discussed that the review of the Audit Committee Performance and Audit Committee Charter be scheduled for Meeting 5. Moved Ian Jessup, seconded Jim Nuttall that the proposed audit committee meeting schedule and agenda items be adopted. Carried.
5. **Financial Reporting**
  - 5.1. *Position Papers - Related Party Disclosures* Kim Olsen provided an overview to the committee on the draft Related Parties Disclosure Policy and associated documents. Kim advised that she had discussed the proposed policy with Natalia at the planning visit. There are a few minor grammar changes that are required; however it is expected that the policy will go to Council for adoption very soon. The management team have discussed the transactions that will be considered as "ordinary citizen transactions" which don't require disclosure when they are under usual terms and conditions. This list includes: rates and utility charges, infringements and fines, fees and charges as per Council's adopted fees and charges, use of Council facilities (e.g. swimming pools, theatres, halls), attending Council functions that are open to the public and sporting grants. Transactions which are not considered to be "ordinary citizen transactions" will be – infrastructure charges, development fees, writing off of bad debts, any transactions not on normal conditions, purchase of goods and services. All of these kinds of transactions will need to be captured so that a decision can be made as to whether they need to be disclosed in line with the accounting standards.

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## Minutes

5.2.

Dale Hassell noted that the draft policy seems to be in line with the guidelines provided by the Department of Local Government and also includes a privacy clause in line with concerns raised by LGAQ. Dale noted that QAO would recommend that during the preparation of shell financial statements later in the year, Council has a trial run of including a note for the Related Parties Disclosure requirements. Kim advised that this would be included in the shell financials. Moved Jim Fahey, seconded Cr Perry that the audit committee endorses the draft Related Parties Disclosure Policy. Carried.

5.3. *Review financial reporting timetable/plan (to be covered by QAO) This item was discussed later in the meeting.*

### 6. Annual Report

6.1. *Final version.* It was noted that the Annual report was already adopted by Council and published in 2016 and that it was an impressive document with a lot of local information. Moved Ian Jessup, Seconded Cr Woods that the Annual Report 2016 be noted by the audit committee. Carried.

### 7. External Audit (QAO)

7.1. *Briefing from QAO- emerging issues, results of audit and follow-up with management*

Dale Hassell (QAO) presented a walkthrough of the 2017 external audit plan for Burdekin Shire Council. (See attachments)

Key points of note:

- Risk based approach to audit
- Materiality
- Council's control environment is satisfactory; however a substantive audit approach will be employed by QAO.
- No significant reliance on internal audit activity, as its work was substantially operational in nature
- Areas of Audit significance are outlined in the audit plan
- Focus on improving quality and timeliness

Natalia Kolakowski advised that she is happy to work with management to ensure that key audit milestones are met and has advised that there is some flexibility at this time with the proposed dates. The audit committee had no objection to Terry, Kim and Kevin meeting to discuss the proposed dates and then negotiating these dates with the QAO.

Reports to parliament are available on the QAO website including video explanation which provides a snapshot of the reports.

7.2. *Consider QAO audit reports for the Council-nothing further*

7.3. *Consider the need for a closed session briefing with QAO excluding management and Internal Audit.* No closed session

### 8. Internal Audit

8.1. *Review Internal Audit Plan and annual audit plan: ensure no material overlap between internal and external audit functions.* The QAO audit plan was not available at the time of preparing the briefing paper for this meeting. There is no material overlap between internal and external audit.

8.2. *Review performance and resourcing of Internal Audit-* No additional resources have been identified.



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## Minutes

- 8.3. *Internal Audit Report- Progress towards achieving audit schedule and recommendations from audit undertaken.* Bradley Hutchinson advised that he has currently fallen behind the planned internal audit schedule, however expects that he will still be able to fulfil the schedule by the end of the financial year. A briefing paper is attached.

### 9. Management Updates

- 9.1. *HR strategy-* Eileen Robinson, Manager Client Services, advised that the HR strategy is currently on hold. A draft strategy has been developed, but will require a number of supporting instruments to be developed before it can be implemented. The CEO undertook to review the draft prior to the next audit committee meeting and to have further discussions with the Mayor.
- 9.2. *Risk Management Framework-* Rebecca Woods, Executive Officer, provided a brief overview of current issues related to the Risk Management Framework (see attached briefing notes). CEO Terry Brennan commented that the Risk Management Area is one which has been flagged for further development, improvement and implementation over the next 12 months.
- 9.3. *Long Term Financial Strategy* Kim Olsen advised that Council will receive a presentation during budget discussions on Thursday and she has prepared some graphs to demonstrate visually to the Council rates and charges forecast (has been fairly static), Council's Capital Program, Council's unspent depreciation, Council's loan balances (which will drop away to nothing in 2021) and Council's reserve balances. Kim advised that the reserve balances are no longer reported in the financials; however the management group still receives reports on these amounts. Kim advised that discussions would be held with Council regarding their position on long term rating increases and advising of operational needs and known issues. The ten year capital plan is considered as part of preparing the long term financial strategy.
- 9.4. *Follow up on Audit Issues-* Kim provided the Audit committee with a copy of the table of audit issues from the previous audit which identifies the actions taken to date and the current status of those issues. Natalia Kolakowski advised that while she was on site for the planning visit she was able to catch up with the relevant staff to discuss the outstanding audit issues that were raised by QAO. She was satisfied that significant progress has been achieved in addressing those outstanding issues and that she will report further at the interim visit. No new issues have been flagged during the planning visit.
- 9.5. The CEO provided a brief update to the Audit Committee:
- Council recently awarded a new Waste Management Contract for an 8 year period. A rigorous process was undertaken for the tendering process and tenders were benchmarked against possible internal service provision by Council. The contract has been awarded to Cleanaway which is a change from Council's current waste management contractor- JJ Richards. The change will take effect on 1 July this year.
  - The State Government has made \$2.93 Million of funds available to Burdekin Shire Council under the "Works for Queensland (W4Q) Program". Council has a short timeframe in which to nominate projects for funding under this program. Council has been involved in identifying the projects to apply this funding to. Funds must be spent by November this year. This will put a significant amount of pressure on Council to deliver these projects. The key objective of this funding is for Council to be able to undertake job-creating projects.
  - Budget workshops with Council have commenced with the first workshop allowing a presentation by QTC (Queensland Treasury Corporation) on Project Decision Framework (PDF) which is all about looking at larger scale projects and early identification of risks and life costs.
  - EBA negotiations- still waiting on the finalisation of the award. Council has not been in a position to begin EBA negotiations until finalisation of the updated award.



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## Minutes

### 10. Effectiveness of Audit Committee

#### 10.1. *Review of committee and member performance (consider tool for self-assessment)*

The Audit Committee Reviewed the self-assessment tool and will use this tool at the last meeting of the year to conduct a self-assessment of performance.

#### 10.2. *Review/Confirm Audit Committee Charter-* As the audit committee charter was only adopted in September 2016, the committee agreed it would be premature to review the charter now. It was agreed by the audit committee to review the charter at the last meeting of the year in October. Cr Woods raised two issues which will require attention in the review-

- a) The current charter does not specifically address how continuity will be maintained. At the moment all three independent members have commenced at the same time and therefore will be due to apply for a second term at the same time.
- b) The current charter excludes all past councillors and employees from being members of the audit committee and perhaps a timeframe should be added to this clause.

### 11. Other Business

#### 11.1. Chairman Ian Jessup asked that the committee advise him if they would like him to do something different or if they have something they would like to say.

#### 11.2. A request was made by the audit committee for all attachments sent out prior to the meeting to be numbered to coincide with the agenda item numbers.

Meeting closed 10:50am

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## Briefing Note

# Burdekin Shire Council – Audit Committee

Meeting Date: 8 February 2017

Audit representatives: Dale Hassell, Audit Manager, QAO  
Natalia Kolakowski, Audit Senior, QAO

### 1. AUDIT STATUS

The purpose of this briefing note is to provide a status update on the progress of our audit for the year ended 30 June 2017 as at 6 February 2017.

- The planning visit was performed at Council from 30 January to 3 February 2017.
- Our draft External Audit Plan is included in the papers for discussion by the Committee. This includes areas of audit significance, our fee estimate, materiality levels, and proposed timetable.

### 2. PERFORMANCE AUDIT UPDATE

#### Strategic Audit Plan

We are currently developing our 2017-20 strategic audit plan.

QAO's current strategy audit plan (2016-19) is available from the QAO website:

<https://www.qao.qld.gov.au/audits/program>

#### Organisational structure and accountability

The objective of this audit is to assess whether the organisational structures of Queensland departments support the achievement of their own, and the State's, strategic and operational objectives. We expect to table this report in later this month.

#### Security of critical water infrastructure

The objective of this audit is to assess whether systems used to operate, manage, and monitor water infrastructure are secure and effective processes are in place to recover from adverse events. We expect tabled our report in March 2017.

#### Biosecurity Queensland's management of agricultural pests and diseases

The objective of this audit is to assess whether Biosecurity Queensland (BQ) effectively and efficiently detects, responds to, and manages significant agricultural pests and diseases. We expect tabled our report in March 2017.

### 3. PARLIAMENTARY REPORTING UPDATE

We are currently finalising our report to Parliament on the results of Local Government audits on the 2015-16 financial statements. As usual, we will provide a confidential draft to the CEO. We expect to table this report in Mid-March 2017.

Reports tabled in Parliament since the last Audit Committee meeting on 12 October 2016, are summarised in Appendix A and are available from our website at:

<https://www.qao.qld.gov.au/reports-resources/parliament>

### 4. QAO / LOCAL GOVERNMENT AUDIT NEWS

#### **Upcoming QAO Events**

#### ***Briefing to audit committee chairs***

QAO will host a briefing for audit committee chairs in Brisbane during May 2017.

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***Tropical Workshops hosted by DILGP***

DILGP has scheduled tropical workshops for Brisbane on 7 March, Toowoomba on 9 March, Longreach on 15 March, Townsville 21 March, Cairns on 24 March, Rockhampton on 28 March and Charleville on 20 April. QAO and DILGP will discuss financial reporting and audit issues.

Stay connected to QAO by subscribing  
to the QAO website  
<https://www.qao.qld.gov.au/subscribe>

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## **4 REPORTS**

### **4.1 Operating Statement for Period Ending 31 January 2017**

#### **Recommendation**

That the Operating Statement for Period Ending 31 January 2017 be received.



**BURDEKIN SHIRE COUNCIL  
OPERATING STATEMENT  
Period Ending 31 January 2017**

	<b>Note</b>	<b>Actual YTD</b>	<b>YTD Revised Budget</b>	<b>\$ Variance Actual to Revised</b>	<b>% Variance Actual to Revised</b>
<b>Operating Revenue</b>					
Rates and Utility Charges	1	36,124,312.07	37,727,885	-1,603,573	-4%
Pensioner remissions		-295,159.00	-292,000	-3,159	1%
User fees and charges	2	1,237,471.80	1,091,810	145,661	13%
Interest Received	3	930,023.73	982,683	-52,660	-5%
Operational contributions and donations	4	141,648.93	112,393	29,256	26%
Operational grants and subsidies	5	2,005,413.89	2,181,203	-175,789	-8%
Contract and recoverable works	6	938,096.60	990,208	-52,112	-5%
Other operating revenue	7	128,985.90	113,558	15,428	14%
<b>Total operating revenue</b>		<b>41,210,793.92</b>	<b>42,907,740.08</b>	<b>-1,696,946</b>	<b>-4%</b>
<b>Operating Expenses</b>					
Employee benefits	8	10,773,961.29	11,143,614	-369,653	-3%
Materials and services	9	8,177,304.43	8,899,056	-721,751	-8%
Depreciation and amortisation		6,025,621.00	6,156,383	-130,762	-2%
Finance Costs	10	216,876.26	188,738	28,139	15%
Other expenses		1,835.24	0	1,835	-
<b>Total operating costs</b>		<b>25,195,598.22</b>	<b>26,387,790.92</b>	<b>-1,192,193</b>	<b>-5%</b>
<b>Surplus (deficit) from operating activities</b>		<b>16,015,195.70</b>	<b>16,519,949</b>	<b>-504,753</b>	<b>-3%</b>
Capital contributions	11	6,000.00	0	6,000	-
Capital grants and subsidies	12	1,405,325.66	2,207,794	-802,469	-36%
Other capital income (expense)	13	-775,320.67	0	-775,321	-
<b>Net result for period</b>		<b>16,651,200.69</b>	<b>18,727,743</b>	<b>-2,076,543</b>	<b>-11%</b>

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**BURDEKIN SHIRE COUNCIL  
OPERATING STATEMENT  
NOTES FOR VARIANCES TO BUDGET  
Period Ending 31 January 2017**

**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), and hire of cultural facilities. Other fees above budget include health licences, animal fines, and plumbing inspections.

**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**

Above budget mainly due to infrastructure charges for multiple new units and lot reconfiguration.

**5 Operational Grants and Subsidies**

Under budget due to timing of grant payments. Two quarterly payments for the Financial Assistance Grant have been received. PCYC annual grant received in full, along with the First State Grant, RADF Grant and SES subsidy. Also includes income from fuel tax credits and apprenticeship payments.

**6 Contract and Recoverable Works**

Under budget due to the timing and payment of main roads claims. Private works income is received throughout the year.

**7 Other Operating Revenue**

Above budget due to annual Fire Levy collection fees and insurance settlements.

**8 Employee Benefits**

Employee benefits below budget mainly due to 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.

**9 Materials and Services**

Materials and services under budget due to timing of waste disposal and waste collection contract payments. RMPC expenditure is under budget due to timing of major works. Roads maintenance under budget due to lack of wet season.

**10 Finance Costs**

This budget mostly consists of interest paid on QTC loans. As interest is paid quarterly, the budget is calculated quarterly - the September and December quarterly payments have been made.

**11 Capital Contributions**

Contributions received from property owners towards works on Irving Street, Ayr.

**12 Capital Grants and Subsidies**

Under budget due to timing of grants. Income received includes Roads to Recovery, TIDS, South Ayr variable speed drive, Beach Road cycleway, Skilling Queenslanders for Work, Multi-Purpose Building fit-out, NDRRA April 2014 final payment, and first two quarterly payments from State Library. 30% of funding has been received for the Ayr Pool Refurbishment to date. Income yet to be received for Mount Inkerman lookout and road upgrade, and Blackspot funding.

**13 Other Capital Income**

Loss on write offs of assets include Transport \$528,795, Buildings \$52,952, Office \$3,152, Other \$5,136 and Water \$2,454 due to full/partial replacement of assets. Loss on disposal of assets from sales for Fleet \$174,337. Includes loss on donation of building asset \$8,495.

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## **4.2 Capital Projects Monthly Report for Period Ending 31 January 2017**

### **Recommendation**

That the Capital Projects Monthly Report for Period Ending 31 January 2017 be received.





**BURDEKIN SHIRE COUNCIL**  
**MONTHLY REPORT - CAPITAL PROJECTS**  
**Period Ending 31 January 2017**

<u>Revised Budget</u>	<u>Income Actual to Period End</u>	<u>Variance</u>	<u>Description</u>	<u>Revised Budget</u>	<u>Expenditure Actual to Period End</u>	<u>Variance</u>		<u>Comments</u>
<b>MCD - Manager Community Development</b>								
-	-	-	24101 - Burdekin Library Building Capital	117,000.00	1,060.00	-99%	June 2017	Budget \$75,000 Actual \$1,060 Ayr Library kitchen refurbishment including second toilet. Project is currently in discussion with new architect.
							June 2017	Budget \$15,000 Ayr Library security upgrade - includes panic button and swipe cards. I.T. are currently looking at compatibility issues with the panic button and the NBN. Security swipe cards will be completed in conjunction with kitchen refurbishment.
							March 2017	Budget \$15,000 Home Hill Library security upgrade and replace front desk. Plans for refurbishments currently being developed.
							March 2017	Budget \$12,000 Home Hill Library shelving upgrade. Order to be placed early 2017.
(80,000.00)	(44,881.00)	-44%	24103 - Burdekin Library Office Equip Capital	98,400.00	39,435.78	-60%	June 2017	Budget \$98,400 Book purchases. Target to spend 55% by December 31 was not achieved, however project will be completed by end of financial year.
			24141 - Burd Mem Hall Office Equipment Capital	15,000.00	9,853.69	-34%	April 2017	Budget \$15,000 Replace sound mixing console. Console arrived in December, with housing to be built in February.
-	-	-	24170 - Burdekin Theatre Building Capital	52,000.00	18,337.16	-65%	March 2017	Budget \$22,000 Actual \$18,337 Replace LED cye (stage lights). Units arrived in December, with cables still to be purchased. Project is expected to be completed under budget.
							March 2017	Budget \$30,000 Replace house lights with LED lights. Decided by Council resolution 6 December 2016 to remove project from 2016/17 budget. Adjustment will be made in second revised budget.
<b>(80,000.00)</b>	<b>(44,881.00)</b>		<b>Total</b>	<b>282,400.00</b>	<b>68,686.63</b>			



**BURDEKIN SHIRE COUNCIL**  
**MONTHLY REPORT - CAPITAL PROJECTS**  
**Period Ending 31 January 2017**

<u>Revised Budget</u>	<u>Income Actual to Period End</u>	<u>Variance</u>	<u>Description</u>	<u>Revised Budget</u>	<u>Expenditure Actual to Period End</u>	<u>Variance</u>		<u>Comments</u>
<b>MCS - Manager Client Services</b>								
-	-	-	11501 - IT Hardware Purchases	217,719.00	-	-100%	Early 2017	Budget \$150,000 SAN replacement - Tier 1 & 2 storage. To be ordered by end of February 2017. Is currently open for submissions on Vendor Panel (Local Buy). Submissions close on the 9/2/17. Orders will be placed once tender has been finalised.
							Early 2017	Budget \$20,000 Replace backup and archive system. Finalising specifications for Vendor Panel (Local Buy) and this will be listed by 10/2/17. Closing dates for submissions will be approximately 24/2/17. Orders will be placed once tender has been finalised.
							June 2017	Budget \$40,000 High speed network link WWW treatment plant and second external site (library) - Quotes have been received and ICT are going through quotations currently and will award this project to the successful applicant by 10/2/17. This project is still on schedule to be installed and completed by June 2017.
							June 2017	Budget \$7,719 Wi-Fi network for Community Development. In negotiation with Telstra on pricing and coverage.



**BURDEKIN SHIRE COUNCIL**  
**MONTHLY REPORT - CAPITAL PROJECTS**  
**Period Ending 31 January 2017**

<u>Revised Budget</u>	<u>Income Actual to Period End</u>	<u>Variance</u>	<u>Description</u>	<u>Revised Budget</u>	<u>Expenditure Actual to Period End</u>	<u>Variance</u>	<u>Comments</u>
--	-	-	11503 - IT Software Purchases	187,736.00	60,699.93	-68%	<p>June 2017 Budget \$30,000 Virtual desktop infrastructure pilot for 10 desktop computers. ICT Coordinator is currently developing the Terms of Reference for this project. Once completed it will be listed on Vender Panel (Local Buy). This project is still on target to be finalised by 30/6/17.</p> <p>First Qtr of 2017 Budget \$65,500 Actual \$27,924 - Software ECM upgrade allowance. This project is currently underway and is estimated to go "live" on 1/3/17.</p> <p>March 2017 Budget \$15,000 Actual \$12,470 Corporate photo gallery. Professional photographer still to take senior employee photos, and photos at various locations in the Burdekin.</p> <p>Early 2017 Budget \$20,000 GIS spacial imagery replacement. Project due for completion June 2017 - after finalisation of Intramaps project.</p> <p>Project Complete Actual \$-1,252.00 Consulting for archiving module implementation project. 30 June accrual amount higher than final invoice received.</p> <p>March 2017 Budget \$57,236 Actual \$21,558 Intramaps. Public implementation still to be carried out.</p>
--	-	-	11508 - Administration Office Equip Capital	13,000.00	5,593.00	-57%	<p>March 2017 Budget \$13,000 Replace office photocopiers. Purchased and installed one photocopier (Administration). Currently waiting on quotations for second photocopier replacement (Engineering). Quotations to be submitted by 13/2/17. Once quotes have been assessed photocopier will be ordered and installed by end March 2017.</p>
<b>Total</b>				<b>418,455.00</b>	<b>66,292.93</b>		



**BURDEKIN SHIRE COUNCIL**  
**MONTHLY REPORT - CAPITAL PROJECTS**  
**Period Ending 31 January 2017**

<u>Revised Budget</u>	<u>Income Actual to Period End</u>	<u>Variance</u>	<u>Description</u>	<u>Revised Budget</u>	<u>Expenditure Actual to Period End</u>	<u>Variance</u>		<u>Comments</u>
<b>MGLL - Manager Governance and Local Laws</b>								
-	-	-	21122 - Aerodrome Runways & Other Assets Capital	225,000.00	-	-100%	June 2017	Budget \$225,000 Ayr Aerodrome electrical upgrade - stage 2. No objection from Aerodrome Advisory Group for upgrade. Next step to engage consultants to prepare tender documentation.
-	-	-	21150 - Showgrounds Other Buildings Capital	7,250.00	7,294.09	1%	Project Complete	Budget \$7,250 Ayr Showgrounds. Open bar structure, replace roof sheeting and fascia.
(87,600.00)	(26,547.28)	-70%	22130 - Burdekin Multi-Purpose Building Capital	219,000.00	134,093.36	-39%	March 2017	Budget \$219,000 Building fitout. Actuals are for industrial fans, water extinguishers, installation of phone service, support beams for mounting of fans, generator room enclosure and relocation of solar panels. Still to be completed - window glazing, installation of storage cupboard, backup lighting and manually operated ventilation system - work expected to be completed in February 2017.
-	-	-	46401 - Waste Disposal Other Assets Capital	11,600.00	11,600.00	0%	Project Complete	Budget \$11,600 Fencing Kirknie Landfill New Cell. Project complete.
-	-	-	46460 - Kirknie Landfill Cell Liner Capital	12,000.00	11,362.70	-5%	Project Complete	Budget \$12,000 Hydro Mulching Batters at Kirknie Landfill New Cell. Project completed under budget.
-	-	-	47101 - Caravan Parks Buildings Capital	85,000.00	-	-100%	June 2017	Budget \$85,000 Home Hill Caravan Park amenities upgrade. Decision made 6/12/16 on location of amenities. Design being finalised. Quotations then to be sought for construction.





**BURDEKIN SHIRE COUNCIL**  
**MONTHLY REPORT - CAPITAL PROJECTS**  
**Period Ending 31 January 2017**

<u>Revised Budget</u>	<u>Income Actual to Period End</u>	<u>Variance</u>	<u>Description</u>	<u>Revised Budget</u>	<u>Expenditure Actual to Period End</u>	<u>Variance</u>		<u>Comments</u>
-	-	-	47102 - Caravan Parks Other Assets Capital	22,500.00	223.19	-99%	June 2017	Budget \$7,500 Home Hill Caravan Park replace powerheads (x5). Actual \$223. Two powerheads installed so far (including expenditure from 2015/16). Remaining powerheads to be installed after layout finalised.
							June 2017	Budget \$15,000 HHCP fence. Works deferred pending investigation of boundary and layout. Works to be included with amenities construction.
(1,404,000.00)	(210,600.00)	-85%	47501 - Swimming Pool Buildings Capital	1,492,157.00	45,025.99	-97%	Project Complete	Budget \$21,550 Actual \$21,528 Ayr Pool replace shade sails.
							Project Complete	Budget \$66,607 Actual \$23,498 Ayr Pool Design Detail. Scope of works reduced to detailed design documents. Balance of scope of works to be included in new project Ayr Pool Refurbishment.
							September 2017	Budget \$1,404,000 Ayr Pool Refurbishment. Advice of approval of Government grant of \$702,000 received. GHD engaged under Local Buy Contract to prepare tender documentation and project manage work. Initial estimate is to complete within pool close down period. Tenders close 17/2/17.
<b>(1,491,600.00)</b>	<b>(237,147.28)</b>		<b>Total</b>	<b>2,074,507.00</b>	<b>209,599.33</b>			



**BURDEKIN SHIRE COUNCIL**  
**MONTHLY REPORT - CAPITAL PROJECTS**  
**Period Ending 31 January 2017**

<u>Revised Budget</u>	<u>Income Actual to Period End</u>	<u>Variance</u>	<u>Description</u>	<u>Revised Budget</u>	<u>Expenditure Actual to Period End</u>	<u>Variance</u>		<u>Comments</u>
<b>MOPS - Manager Operations</b>								
(250,670.00)	(50,670.00)	-80%	43302 - Parks Other Assets - Capital	820,906.00	198,517.30	-76%	June 2017	Budget \$400,000 Actual \$17,340 Mt Inkerman lookout facilities upgrade. Finalisation of concept plans occurring in consultation with Council.
							June 2017	Budget \$50,000 Miscellaneous park furniture. Replacement of unserviceable park furniture such as concrete picnic tables Alva etc.
							June 2017	Budget \$50,000 Shade structures and playground equipment. \$45,595 of budget available as \$4,405 of budget has been applied to Coutts Park playground equipment project - detailed below. Replacement of fire engine piece Anzac Park etc.
							Completed October 2016	Budget \$80,115 (plus \$4,405 detailed above totals \$84,520) Actual \$84,520 Coutts Park Playground equipment. Project completed.
							May 2017	Budget \$50,000 Ayr Skate Park shade structures. \$57,736 funding approved under the State Government Get Playing Places and Spaces program. Budget to be increased in second revised budget to include grant funding. Specification being prepared for quotation February/March 2017.
							Completed November 2016	Budget \$190,791 Actual \$96,657 Plantation Park and Juru Walk Development. Project completed – final report and financial acquittal to be completed.
-	-	-	44102 - Cemetery Other Assets Capital	50,000.00	-	-100%	February 2017	Budget \$50,000 Ayr Cemetery - Mackenzie Street entry statement - work structurally complete. Coat of Arms and brass lettering currently being sourced.



**BURDEKIN SHIRE COUNCIL**  
**MONTHLY REPORT - CAPITAL PROJECTS**  
**Period Ending 31 January 2017**

<u>Revised Budget</u>	<u>Income Actual to Period End</u>	<u>Variance</u>	<u>Description</u>	<u>Revised Budget</u>	<u>Expenditure Actual to Period End</u>	<u>Variance</u>	<u>Comments</u>
-	-	-	45101 - Public Conveniences Buildings - Capital	130,000.00	-	-100%	May 2017 Budget \$55,000 Cromarty Boat ramp. Replace existing public toilet. Site classification occurring with plans to be drawn for quotation.  June 2017 Budget \$75,000 Groper Creek septic relocation. Application to be lodged with DEHP for project approval February 2017.
(17,730.00)	(17,729.69)	0%	57252 - Roads Capital - NDRRA Apr 14	-	-	-	Physical Works Completed 30 June 2016  Final acquittal of submissions 29.14 and 31.14 outstanding. All other committals complete.
-	-	-	58101 - Depot Buildings Capital	25,000.00	-	-100%	May 2017 Budget \$25,000 Laboratory WWW office (Jones Street depot). Current consultation with Building Services. Works estimated to commence April 2017.
-	-	-	61110 - Sewerage Reticulation Capital	587,490.00	204,290.13	-65%	June 2017 Budget \$200,000 Sewerage replacement/refurbishment of assets - ongoing throughout financial year. Actual \$6,800 Replace No 2 Pump.  June 2017 Budget \$40,000 Ayr Industrial Estate expansion project - Sewerage. Awaiting State Government approval and final Council decision.  Project Complete Budget \$197,490 Actuals \$197,490 Final progress payment for Sewer reline Contract which is funded from carry over.  June 2017 Budget \$150,000 Sewerage manhole refurbishment. Project dependant on results of in-house repair trial.





**BURDEKIN SHIRE COUNCIL**  
**MONTHLY REPORT - CAPITAL PROJECTS**  
**Period Ending 31 January 2017**

<u>Revised Budget</u>	<u>Income Actual to Period End</u>	<u>Variance</u>	<u>Description</u>	<u>Revised Budget</u>	<u>Expenditure Actual to Period End</u>	<u>Variance</u>		<u>Comments</u>
-	-	-	62120 - Pump Stations Capital	999,580.00	379,363.40	-62%	Funding agreement to be signed. Completion June 30 2018	Budget \$959,580 Sewer Pump Station switchboard replacement program. State Government Building Our Regions Fund grant approved of \$952,000 - new budget to be recognised at second revised budget. Current expenditure \$278,096. TBSC 17/002 + TBSC 17/007 for replacement of 14 additional switchboards closing in February 2017. Expenditure of \$101,267 is for digital telemetry and alarm upgrades at eighteen SPS's with overflows to the environment.
							Pending final decision	Budget \$40,000 Home Hill No 1 SPS rising main duplication (survey and design). Final discussions to be held on whether this project will go ahead.
-	-	-	63140 - Sewerage Treatment Capital	398,220.00	136,342.84	-66%	March 2017	Budget \$40,000 Ayr WWTP refurbish secondary digester bridge. Works commenced.
							June 2017	Budget \$175,000 Home Hill WWTP refurbish secondary clarifier bridge. Existing plan verification prior to seeking quotations.
							Project Completed	Budget \$183,220 Actual \$136,343 Ayr WWTP refurbish primary clarifier. Project completed. Contract payments outstanding.
-	-	-	71001 - Water Production Capital	300,000.00	-	-100%	June 2017	Budget \$200,000 Water supply replacement/refurbishment of assets. Ongoing throughout financial year.
							June 2017	Budget \$75,000 Relocation 100mm water main Invicta Mill Giru. Design consultation with Wilmar representative on-site January 2017. Materials ordered.
							Awaiting Council decision	Budget \$25,000 Ayr Industrial Estate expansion project - Water. Awaiting State Government approval and final Council decision.



**BURDEKIN SHIRE COUNCIL**  
**MONTHLY REPORT - CAPITAL PROJECTS**  
**Period Ending 31 January 2017**

<u>Revised Budget</u>	<u>Income Actual to Period End</u>	<u>Variance</u>	<u>Description</u>	<u>Revised Budget</u>	<u>Expenditure Actual to Period End</u>	<u>Variance</u>		<u>Comments</u>
(160,790.00)	(230,432.89)	43%	72120 - Water Treatment Capital	1,642,394.00	584,613.53	-64%	Completion June 17	South Ayr WTP replacement switchboard - Budget \$450,000. Current expenditure \$25,186. TBSC 17/001 closing 9/2/17. \$308,037 funding approved under the LG Grants and Subsidies Program.
							Project Completed Nov 2016	Budget \$505,340 Actual \$476,234 South Ayr WTP and Ayr Water Tower - install variable speed drive - works completed.
							June 2017	Budget \$687,054 Actual \$3,139 Home Hill Water Tower Replace Aerators. New tender document/specification being reviewed for comment.
							Completed	Actual \$20,923 Nelson's Lagoon repair main; Actual \$56,375 South Ayr repair main - both budgeted at PR 71001.
							Completed	Actual \$2,756 Valves/Scours Ayr - expenses to be journaled to operational.
-	-	-	73140 - Water Reticulation Capital	-	6,647.66	-	Project Completed	Expenses for Burke Street Scour ancillary works. Budgeted at PR 71001.
<b>(429,190.00)</b>	<b>(298,832.58)</b>		<b>Total</b>	<b>4,953,590.00</b>	<b>1,509,774.86</b>			



**BURDEKIN SHIRE COUNCIL**  
**MONTHLY REPORT - CAPITAL PROJECTS**  
**Period Ending 31 January 2017**

<u>Revised Budget</u>	<u>Income Actual to Period End</u>	<u>Variance</u>	<u>Description</u>	<u>Revised Budget</u>	<u>Expenditure Actual to Period End</u>	<u>Variance</u>		<u>Comments</u>
<b>MTS - Manager Technical Services</b>								
(1,784,000.00)	(830,464.80)	-53%	51101 - Roadworks Capital	6,841,679.00	2,923,121.01	-57%	June 2017	Budget \$6,615,679 The majority of carryover projects are complete. 18 of 39 projects complete. Current expenditure is tracking forecasts with approximately \$1.7M worth of rural road construction projects to be completed after end of crushing season.
							Awaiting Council decision	Budget \$226,000 Ayr Industrial Estate expansion - Roadworks. Awaiting State Government approval and final Council decision.
-	-	-	51130 - Reseals - Capital	900,000.00	317,146.83	-65%	June 2017	Reseal designs completed. Remaining works planned to be completed by May 2017.
-	-	-	51620 - Drainage - Capital	289,274.00	246,406.99	-15%	June 2017	Budget \$269,274 Actual \$246,407 Works complete for Sixth Street, Fourteenth A Street and Lando Street (carryover project of \$19,274 for Lando Street completed). Work in progress on South Ayr open drain.
							Awaiting Council decision	Budget \$20,000 for Ayr Industrial Estate expansion - Drainage. Awaiting State Government approval and final Council decision.
-	-	-	53102 - Boat Ramp & Pontoon Other Assets Capital	-	2,659.41	-	April 2017	Solar lights at Cromarty Creek not completed in 15/16 due to delay in approvals for River Trust work. Project will be completed before end of April.



**BURDEKIN SHIRE COUNCIL**  
**MONTHLY REPORT - CAPITAL PROJECTS**  
**Period Ending 31 January 2017**

<u>Revised Budget</u>	<u>Income Actual to Period End</u>	<u>Variance</u>	<u>Description</u>	<u>Revised Budget</u>	<u>Expenditure Actual to Period End</u>	<u>Variance</u>		<u>Comments</u>
(370,000.00)	(78,493.45)	-79%	55150 - Light Vehicles - Fleet Capital	1,085,000.00	217,179.46	-80%	June 2017	Specifications for remaining vehicles currently being prepared. Quotations to be called in February and March.
(167,686.00)	(168,140.93)	0%	55151 - Trucks - Fleet Capital	798,000.00	793,037.82	-1%	March 2017	No further purchases planned for 16/17.
(30,000.00)	(35,000.00)	17%	55152 - Machines - Fleet Capital	210,000.00	205,520.00	-2%	March 2017	No further purchases planned for 16/17.
(23,000.00)	(20,727.28)	-10%	55153 - Plant & Equipment - Fleet Capital	267,954.00	284,250.10	6%	March 2017	Plant and Equipment replacements complete to date.
			<b>Total</b>	<b>10,391,907.00</b>	<b>4,989,321.62</b>			
			<b>(4,375,476.00)</b>	<b>(1,713,687.32)</b>	<b>TOTAL CAPITAL PROJECTS</b>	<b>18,120,859.00</b>	<b>6,843,675.37</b>	



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## **5 GOVERNANCE & LOCAL LAWS**

### **5.1 Amendment to Subordinate Local Law No. 3 (Community and Environmental Management) 2012 to declare Neem Tree as Local Pest**

#### **Document Information**

**Referring Letter No:** N/A

**File No:** 414

**Name of Applicant:** N/A

**Location:** N/A

**Author and Title:** Vicki Walker, Governance and Property Officer

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#### **Executive Summary**

Council has completed the consultation process with regard to its proposal to amend Subordinate Local Law No. 3 (Community and Environmental Management) 2012 to declare Neem tree as a local pest for its entire local government area. Two submissions were received.

#### **Recommendation**

Council resolves to:

1. make Community and Environmental Management (Amendment) Subordinate Local Law (No. 1) 2016 as advertised, but amended by the omission of each reference to 2016, and the insertion instead of a reference to 2017.
2. pursuant to section 32 of the Local Government Act 2009, adopt a consolidated version of Subordinate Local Law No. 3 (Community and Environmental Management) 2012, inclusive of the amendments identified in part 2 of Community and Environmental Management (Amendment) Subordinate Local Law (No. 1) 2017 (formerly Community and Environmental Management (Amendment) Subordinate Local Law (No. 1) 2016).
3. respond to the submissions received advising of Council's decision to make Community and Environmental Management (Amendment) Subordinate Local Law No. 1) 2016 as advertised noting the amendment to make reference to 2017 instead of 2016.

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## **Background Information**

Council has consulted with the public in relation to Community and Environmental Management (Amendment) Subordinate Local Law (No. 1) 2016. The deadline for submissions was 20 February 2017.

The proposed amendment adds Neem tree (*Azadirachta indica*) to Schedule 1 of the Subordinate Local Law thus making Neem tree a local pest for the entire Council area.

Two submissions were received. (Refer attached)

No amendment is proposed as a direct consequence of consideration of the submissions.

However, it is necessary to amend the amending subordinate local law and the associated documentation originally presented to Council, given that the local law making process commenced in 2016, but will conclude in 2017. All reference to “2016” is omitted and instead reference is made to “2017”.

After considering the submissions and resolving to make the subordinate local law, Council must let the public know that Council has made the proposed subordinate local law by publishing notice of the making of same in the Gazette and on Council's website. Under section 32 of the Statutory Instruments Act 1992, the amended subordinate local law will commence on the date on which the notice is published in the gazette.

The Local Government Act section 32 relevantly provides that Council may prepare and adopt, by resolution, a consolidated version of a local law. The necessary resolution is included in this report as part of the recommendation.

## **Link to Corporate/Operational Plan**

4.1.3 Protect and enhance the natural environment.

## **Consultation**

King & Company Solicitors  
Public Consultation

## **Legal Authority or Implications**

Compliance with Local Government Act 2009 and Local Government Regulation 2012.

## **Policy Implications**

N/A

## **Financial and Resource Implications**

Preparation and adoption of local laws will incur legal fees and staff resource allocation.

---

**Report prepared by:**

Vicki Walker, Governance and Property Officer

**Report authorised by:**

Dan Mulcahy, Manager Governance and Local Laws

**Attachments**

1. Submissions received in relation to proposed amendment to Subordinate Local Law No. 3.
2. Proposed Community Environmental Management (Amendment) Subordinate Local Law (No. 1) 2017

BURDEKIN SHIRE COUNCIL	
File ID No.	414
14 FEB 2017	
Document No.	
Retention Period	

Dear Sir.

Re. "Neem Trees"

I hereby object to the Proposed name of having the 'Neem Trees' declared a Local Pest.

The area in which I live mosquitoes were very prevalent at that time. I was advised By 'Bounce Nursery' & later Purchased the above as a control of Mosquitoes. — which has proven to be very successful.

- (1) The Trees act as a 'Buffer Zone' from all the Heavy Vehicles (Heavy Producer, carriers — Mui Mud etc) which constantly use this connecting Road from Aramullan to Green Road to Mui etc a very troublesome by local residents.
- (2) It keeps control Much dust from the 3 Surrounding Paddocks — North South East of the House.
- (3) 2 Accidents have already occurred with Vehicles landing in my 'Residential' yard & Vacant Blocks.
- (4) I do not have Flying Foxes & do not find them to be a nuisance of Spreading — Maintenance — Very little is required & are a Healthy Release Tree.

I Look forward to further consultation with you in the future.

Yours faithfully,  
Wines Hurniaga.



---

**Vicki Walker**

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**Subject:** FW: Proposed subordinate local law to declare an additional plant, being the Neem Tree (Azadirachta indica) as a local pest for Council's entire local government area. Email 1 of 3  
**Attachments:** Letter to Chief Executive Officer.docx; image1 (5).JPG

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**From:** clinton eakins [mailto:[clinton.eakins@burdekinlandcare.qld.gov.au](#)]  
**Sent:** Monday, 20 February 2017 11:18 PM  
**To:** Email Registration  
**Subject:** Proposed subordinate local law to declare an additional plant, being the Neem Tree (Azadirachta indica) as a local pest for Council's entire local government area. Email 1 of 3

To the Chief Executive Officer

Dear Sir/Madam

I am writing this letter in support of the proposed local law to declare an additional plant, being the Neem Tree as a local pest for Council's entire local government area. It is a potential plant that could be like the Cane toad, Lantana and Cichlid fish.

Please see attachments for information.

If you would like to speak further or would like more information.

My mobile number is

Sincerely

Clinton Eakins  
Local Burdekin Landcare member and Primary Teacher

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This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

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Monday 20 February 2017

To the Chief Executive Officer

**RE: Proposed subordinate local law to declare an additional plant, being the Neem Tree (Azadirachta indica) as a local pest for Council's entire local government area.**

My name is Clinton Eakins. I am a local Landcare member who has had local discussions with the community and they have expressed their concern regarding the Neem tree. I have photos and images of Neem trees spreading in the limited natural ecosystems left in the region. I am writing this letter in support of the proposed subordinate local law to declare an additional plant, being the Neem tree (Azadirachta indica) as a local pest for the Council's entire local government area.

My submission has facts, researched evidence and circumstances to support the grounds for this proposed subordinate local law. My report endorsed by Burdekin Landcare has been presented to the Local Mayor, Lyn McLaughlin. It has also been endorsed by Shane Campbell, works for the Queensland government as a Professional Leader, Invasive Plant and Animal Science, Biosecurity Queensland and Department of Agriculture and Fisheries.

Please read the evidence presented below and I am sure you will agree we need to eradicate this plant.

**Objective:** Neem Tree (Azadirachta indica)– Declared as pest in the Burdekin region and destroyed from council parks, beaches and creeks.

**FACTS**

*The neem tree is native to the seasonally dry, tropical woodlands of north-east India and perhaps parts of Asia. During the last 20 years, it has been enthusiastically promoted in Queensland and around the world as a potentially valuable new crop, mainly as a source of azadirachtin, an insecticide that can be extracted from its seeds and leaves. However, many plantations have failed and neem has escaped cultivation to become naturalised at numerous sites across northern Australia, including North Queensland. (Csurhes, 2008).*

In addition, Neem tree planting was originally encouraged through deceptive advertising campaigns that encouraged Queenslanders to plant it in their backyards as a wonder plant – *mosquito deterrent*. However, it is only the chemical azadirachtin that helps deter mosquitos which has to be extracted from the plant to be of any benefit.

**SUITABLE CLIMATE**

*Most of Northeast India and much of North India are subject to a [humid subtropical climate](#). Though they experience hot summers, temperatures during the coldest months may fall as low as 0 °C (32 °F). Due to ample monsoon rains, India has only one subtype of this climate under the [Köppen system: Cwa](#).<sup>[21]</sup> In most of this region, there is very little precipitation during the winter, owing to powerful anticyclonic and katabatic (downward-flowing) winds from Central Asia. ([https://en.wikipedia.org/wiki/Climate\\_of\\_India](https://en.wikipedia.org/wiki/Climate_of_India)).*

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*...there is good evidence from several countries that it can escape cultivation and naturalise within suitable habitats. (Csurhes, 2008)*

*Based on an analysis of climate and habitat types favoured by neem within its native range and elsewhere, habitats most at risk of invasion in Queensland are predicted to be the sandy beds and banks of rivers and creeks across our seasonally dry tropical savannas (mainly areas where annual rainfall is 400–1200 mm, and perhaps in drier zones where groundwater is available at depths of no more than 12 m below the soil surface). (Csurhes,2008)*

Because the neem tree grows in similar climatic conditions to Tropical North Queensland, one would suggest this is another area of concern and why we need to ensure it is eradicated in the Burdekin and Australia. We do not want another pest like ‘Canetoads’ and ‘Lantana’ which is now a serious concern in many national parks. It is similar to ‘Lantana’ in that it doesn’t have any pests that keep it under control **naturally**.

### **AREAS OF INFESTATION**

A map of the distribution of neem in Queensland in 2011/12 is shown below. The data for the map comes from pest distribution surveys coordinated by Biosecurity Queensland. Every 2 years Biosecurity Queensland produces a comprehensive series of pest distribution maps that show where over 100 weeds and pest animal species occur in Queensland. Information for each pest is gathered through regional workshops, where participants include local government, Biosecurity Queensland officers and others with knowledge of local pest locations. At these workshops a grid framework is laid over a map of Queensland, and the distribution and density of each pest is collectively rated by survey participants on a cell-by-cell basis. Each cell of the grid framework equates to 16.67km x 16.67km square for all species. Neem has only been included in the surveys conducted in 2011/12, but it is envisaged that it would demonstrate a more widespread distribution and higher densities if another one was undertaken today, particularly in the Burdekin catchment.

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Figure 1 Neem tree distribution in Queensland in 2011/12 (Department of Agriculture and Fisheries, 2016)

## PEST FREE

Neem trees are generally pest-free, due perhaps to the presence of azadirachtin and other insecticidal compounds. (Csurhes, 2008)

## SEED DISPERSAL

Then, once neem trees are established it has a very good reproductive system that produces thousands of seeds which can be dispersed in a number of ways. One of serious concern is bird dispersal.

...Since neem is estimated to produce 44 000–200 000 bird-dispersed seeds each year, its spread might be rapid. (Csurhes, 2008)

## KILLING AQUATIC LIFE

As the neem tree continues to spread there is evidence to suggest that it affects aquatic life.

There is some evidence that neem extracts can affect certain aquatic life including fish and tadpoles (NRC 1992) and some speculation that chemical compounds leached out of neem leaf litter might affect aquatic wildlife. There is also concern over the plant's potential impact on native insect populations (Lonsdale 1999, pers. comm.). (Csurhes, 2008)

## NATIVE SPECIES

Flora and Species Threatened in Australia Currently.



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Flora Species at Risk currently in Australia – Extinct: [flora](#) (36). Critically Endangered: [flora](#) (148), Endangered: [flora](#) (527). Report by Department of Environment and Energy (Australian Government).

Fauna Species at Risk currently in Australia:

- Extinct: [frogs](#) (4), [birds](#) (22), [mammals](#) (27) and [other animals](#) (1). Critically Endangered: [fishes](#) (8), [frogs](#) (5), [reptiles](#) (9), [birds](#) (16), [mammals](#) (6) [other animals](#) (25). Endangered: [fishes](#) (16), [frogs](#) (14), [reptiles](#) (18), [birds](#) (49), [mammals](#) (38), [other animals](#) (19). Vulnerable: [fishes](#) (24), [frogs](#) (10), [reptiles](#) (33), [birds](#) (68), [mammals](#) (64), [other animals](#) (11) Conservation Dependent: [fishes](#) (7) ([http://www.environment.gov.au/cgi-bin/sprat/public/publicthreatenedlist.pl?wanted=flora#flora\\_extinct](http://www.environment.gov.au/cgi-bin/sprat/public/publicthreatenedlist.pl?wanted=flora#flora_extinct))

We can't afford not to act knowing these figures above will increase, directly or indirectly if the neem tree is not eradicated.

Research being undertaken by the Department of Agriculture and Fisheries has found that in riparian habitats within a 8-10 year period neem can increase from low densities to almost a monoculture, replacing the native species that would have been present (Setter, unpublished data).

## AREAS ALREADY DECLARED OF SERIOUS CONCERN

### Northern Territory

*...On the basis of this assessment neem has been declared under the Weeds Management Act as:*

**Class B: Growth and spread to be controlled** (All Class B weeds are also classified as Class C.)

**Class C: Not to be introduced into the NT, in all areas of the NT.**

(<http://www.nt.gov.au/weeds>)

### Whitsunday Regional Council

It is also declared as a pest in the Whitsunday Regional Council as stated in the Whitsunday Regional Council Pest Plan 2010-2015 September 2010.

*Neem infestations are developing in riparian areas across the Top End including the Katherine, Wickham, McArthur and Roper river systems. In these areas neem is proving to be highly invasive and competitive. Mature neem trees produce a prolific amount of seed, which are readily dispersed by birds, bats and humans. Plants are capable of establishing in relatively undisturbed vegetation.* (<http://www.nt.gov.au/weeds>)

As evidence above suggests, it is proving to be a highly invasive plant which if infestations continue then the Burdekin River; with its constant supply of water is an area of serious concern.

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## **CONCLUSION**

In conclusion, neem is thriving in parts of Queensland and Northern Territory. It is an invasive pest. The Burdekin has large areas of sandy soils with a readily available water supply. This constant supply of water promotes the plant to reproduce and drop up to 50kg of seed per year polluting water ways. Once these seeds have dropped into rivers and waterways. A second problem arises, as anecdotal evidence suggest that the neem tree can poison waterways. Which leads to poisoning aquatic life. By poisoning aquatic life we will potentially have more flora and fauna species extinct forever; if we don't do something about it now. So lets class it as a weed and eradicate it now before it spreads further.

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# NEEM TREES ARE WEEDS!

**You can help to rid our environment of them by removing them from your property**

## History

Neem trees *Azadirachta indica* have been a part of the local garden scene in Kununurra for over ten years now. Originally they were introduced as a fast growing shade tree and potentially as a deterrent for mosquitoes. Native to the India - China region they are rapidly becoming widespread across Australia's north with large infestations around Darwin and Katherine.

## Description

Neem grows to about 15 metres high. The bark is red-brown, cracked and flaked in older trees. Leaves have a pungent smell and are red-green when young. The individual leaflets are about 5-9cm long with a jagged 'toothed' edge. Flowers are white, small, honey scented, and grow in sprays up to 30cm long. The fruit has a thin layer of flesh with one internal seed, is about 1-2cm long, and is green turning yellow when ripe.

## Dispersal

Seeds germinate readily around the parent plant. Seed is dispersed further mainly when ingested and expelled by birds and animals.

People still plant Neem as a shade tree or for windbreaks which also contributes to their spread.

## Impact

Neem is known to aggressively invade native ecosystems displacing native plants and animals. In parts of Africa it dominates large areas of the savanna and potentially could do the same in parts of Australia. In the Kununurra area, neems are starting to choke out native trees including boabs. Neems when burnt, subject the native trees they encircle to far greater fire intensity than in the past.



Neem foliage is easily distinguishable due to its distinctive shaped leaves and colour

## Distribution

Around Kununurra neems have been found spread from Cave Springs 26 kilometres north of town to a location on Lake Kununurra 17 kilometres south. Spread is still limited to an area within two kilometres of the initial infestation point.

## Control

Neem can be removed easily when young by hand pulling them. Once established, grubbing them out by the roots is possible but more difficult.

For larger trees chemical control such as an application of the herbicide glyphosate to the freshly cut stump is an option. Prior to use the product label should be read carefully. Sometimes stronger chemicals may be necessary (see Further Advice)

## Removal

The Shire of Wyndham East Kimberley has agreed to assist with neem removal from the town areas. Residents removing trees from properties can have them collected and taken away as a part of the Shire's annual cyclone clean up program in early November.



A young neem tree in bush close to Lily Creek



A boab tree slowly being choked out by neem trees

## Further Advice

For further advice on the control of neems you can contact Ord Land and Water on 91 692 222 or [dick@olw.com.au](mailto:dick@olw.com.au) or CALM on 91 684 200







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# **Burdekin Shire Council Community and Environmental Management (Amendment) Subordinate Local Law (No. 1) 2017**

## **Contents**

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## **Part 1 Preliminary**

### **1 Short title**

This subordinate local law may be cited as *Community and Environmental Management (Amendment) Subordinate Local Law (No. 1) 2017*.

### **2 Subordinate local law amended**

This subordinate local law amends *Subordinate Local Law No. 3 (Community and Environmental Management) 2012*.

## **Part 2 Amendment to subordinate local law**

### **3 Amendment of sch 1 (Declared local pests)**

Schedule 1, item 1, column 2, after ‘Itch grass (*Rottboelia cochinchinensis*)’—  
*insert—*

Neem tree (*Azadirachta indica*)

This and the preceding page bearing my initials is a certified copy of *Community and Environmental Management (Amendment) Subordinate Local Law (No. 1) 2017* made in accordance with the provisions of the *Local Government Act 2009* by Burdekin Shire Council by resolution dated the                      day of                      2017.

.....  
Chief Executive Officer

589512\_3

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## 5.2 Rescission of Administrative Policies

### 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

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### Executive Summary

As part of the development of a Policy Framework for Council, all of Council's current policies have been reviewed and categorised as either Statutory or Corporate Policies. A number of current Council policies are not considered to align with either of these policy types. These policies have been named as "Administrative Policies" in the policy register.

Council's Policy Framework provides details of a Policy Hierarchy. Operational Standards and Management Commitment statements take the place of Administrative Policies within the policy framework.

A Workshop was held with Council on February 21, 2017 to discuss the policy framework and to discuss rescission of a number of Council Policies. Council identified a number of policies to be rescinded and replaced by Operational Standards. Council also identified a number of policies to be reviewed in more detail before they a decision is made. Those policies will be reviewed with Council at a later date.

### Recommendation

That Council formally rescinds the following policies and that these policies are developed as Operational Standards to be managed administratively by the CEO.

Opening Hours Policy  
Purchase of Corporate Flowers Policy  
ANZAC Park Management Policy  
Immunisation Policy  
Interview Related Travel Expenses and Relocation Assistance Policy  
Length of Service Milestone Policy  
Lone Worker Policy  
Determining Compensation for Acquiring Land for Road Purposes Policy  
Advice to Property Owners Prior to Commencement of Works Policy  
Line-Marking Adjacent to Accesses Policy  
Personal Protective Equipment (PPE) Policy  
Quality Policy  
Work Health & Safety Policy  
Workplace Rehabilitation and Return to Work Policy

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## **Background Information**

Council last undertook a comprehensive review of Council Policies in 2011. During this process over 60 policies were identified as obsolete or out of date and were rescinded by council resolution. The policy review was considered to be an ongoing process. Since this time policies have been updated and replaced on a rolling basis. There are still a number of policies in the old format- this format does not include details of responsible officers or review dates and does not provide a lot of detail about the intent or purpose of the policy. Many of these old policies are “one-liners” or a copy of a council resolution from the time.

## **Link to Corporate/Operational Plan**

5.3 Commitment to continuous improvement, customer service and accountability.

5.3.5 Improve methods of service delivery to the community based on innovation, feedback and review processes.

## **Consultation**

The Senior Leadership Group and Councillors identified current policies that did not align with the Statutory or Corporate Policy Categories.

## **Legal Authority or Implications**

N/A

## **Policy Implications**

These policies will be removed from the list of current policies in the policy register and will be removed from publication on Council’s website.

## **Financial and Resource Implications**

N/A

### **Report prepared by:**

Rebecca Woods- Executive Officer

### **Report authorised by:**

Terry Brennan- Chief Executive Officer

## **Attachments**

1. N/A



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### 5.3 Adoption of Receipt of Gifts, Benefits and Prizes 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

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#### Executive Summary

From time-to-time Council Officers and Councillors will be presented with gifts, benefits or prizes in the course of their work or official duties. A policy has been developed to provide guidance on how gifts, benefits or prizes should be treated. The policy applies to gifts, benefits or prizes over the value of \$100 received by employees or elected members as a consequence of activities associated with employment or representation of Council.

The policy aims to increase transparency and accountability in regards to the receipt of gifts, benefits or prizes and aims to ensure that real or potential conflicts of interests are considered when making a decision about acceptance.

The policy requires employees or elected members to declare all gifts, prizes or benefits upon receipt and includes provisions for the acceptable disposal of accepted gifts, benefits or prizes.

Councillors and Senior Executive Employees are still obliged to complete and update their register of interest upon receipt of gifts, benefits or prizes in accordance with the *Local Government Regulations 2012*.

#### Recommendation

That Council adopts the attached Receipt of Gifts, Benefits and Prizes Policy.

#### Background Information

This policy is considered to be a Corporate Policy in line with Council's Policy Framework. Council has not previously had an adopted policy for dealing with the receipt of Gifts, Benefits or Prizes. Councillors and Senior Executive Officers are bound by requirements under the Local Government Regulation to disclose any gifts, benefits or prizes to a value of \$500 or more on their register of interest forms. This policy will apply to all Council employees.

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## **Link to Corporate/Operational Plan**

5.3.1 Demonstrate open and transparent leadership

5.3.3 Adhere to the governance framework and public reporting systems.

## **Consultation**

The SLG were consulted during the development of this policy. Council were consulted at a workshop held on 21 February 2017.

## **Legal Authority or Implications**

The *Local Government Regulation 2012 Schedule 5* includes details of what information must be collected in the registers of interests for Councillors and Senior Executive Officers.

## **Policy Implications**

This is a new Corporate Policy and will be added to Council's Policy Register and published to Council's website.

## **Financial and Resource Implications**

N/A

### **Report prepared by:**

Rebecca Woods- Executive Officer

### **Report authorised by:**

Terry Brennan- Chief Executive Officer

## **Attachments**

1. Receipt of Gifts Benefits and Prizes Policy



**Commencement Date:** <insert date of council resolution>

**Function:** Administration

**RESPONSIBILITIES**

Policy Owner	<i>Chief Executive Officer</i>
Policy Contact	<i>Manager Finance and Administration</i>
Approval Authority	<i>Chief Executive Officer</i>
Next Review Date	<i>1 September 2019</i>

**REVISION HISTORY**

Rev	Status	Date	Approver/Meeting	Resolution / Document No.
1	<i>Draft</i>	<i>5 August 2016</i>	<i>Chief Executive Officer</i>	<i>N/A</i>
1.1	<i>Draft</i>	<i>24/11/2016</i>	<i>Minor amendments from MGLL</i>	<i>N/A</i>

**1 PURPOSE**

To provide guidelines to all Burdekin Shire Council staff and elected members on the receipt of benefits, gifts and prizes in accordance with the legislative requirements of the Local Government Act 2009, Crime and Corruption Act 2001 and Council's Code of Conduct.

**2 SCOPE**

This policy applies to benefits, gifts and prizes over the value of \$100 offered to, or received by, staff and elected members as a consequence of activities associated with their employment or representation of the Burdekin Shire Council.

**3 EXCEPTIONS**

Amounts under \$100- please refer to the Code of Conduct.

**4 POLICY STATEMENT**

This policy establishes the responsibility of council officers and elected members with regard to the solicitation and acceptance of benefits, gifts and prizes. An Officer or elected members must not encourage, solicit or accept any benefit, personal or otherwise, where there may be a real or potential risk of compromise or conflict of interest which may bring the Council's integrity or impartiality into question.

**5 PROCEDURES**

**Benefits, Gifts and Prizes (greater than \$100)**

Benefits may be accepted if no conflict of interest exists and the officer or elected member has gained prior approval. For officers, prior approval is to be obtained from the relevant Manager or CEO. For elected members, prior approval is to be obtained from the CEO. Third party sponsorship to attend conferences or provide subsidised attendance through reduced registration fees, etc. must be recorded. The "Declaration of Benefits, Gifts and Prizes Received Form" should be completed to indicate whether the third party is the conference organising committee or a commercial supplier/exhibitor. If the purpose of the sponsorship is to enable an Officer or elected member to attend to present a paper or chair a session this should be clearly indicated on the Declaration Form.

A record of benefits greater than \$100 in value must be submitted by the relevant officer or elected member to the Chief Executive Officer and retained on the Register of Benefits, Gifts and Prizes recorded

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in our electronic records register (ECM).

**Benefits, Gifts and Prizes over \$300 – Fringe Benefit Tax implications**

If the value of the benefit is over \$300 FBT rules apply. As the benefit, gift or prize was received whilst on Council business the benefit is the property of Council.

**Benefits, Gifts or Prizes over \$500 – Register of Interest requirements under the Local Government Regulation 2012 (LGR)**

The following positions are required to complete a Register of Interests return:

- Elected Members
- Chief Executive Officer
- Senior Leadership Managers

These registers must include details of gifts totalling more than \$500. This can be either as a combined number of gifts (totalling \$500) from one source or one gift (to the value of \$500) and includes sponsored hospitality benefits. The LGR states that "sponsored hospitality benefits" relate to travel or accommodation. If an employee or related person receives a benefit other than a "sponsored hospitality benefit" valued at \$500 or more, it is a reportable gift.

Disclosure of such interest must be undertaken within 30 days of the person becoming aware of the interest.

**Retention/Disposal of benefits, gifts or prizes**

If the Council does not have an appropriate use for the benefit, gift or prize, it may be disposed of in accordance with the following principles:

- Disposal of benefits, gifts or prizes must be in the public interest and pay due respect to the wishes and expectations of the donor (if known). Disposal by donation to a charity, hospital, school, community not for profit organisation or similar should be considered depending on the nature of the benefit
- The disposal should be properly documented for audit purposes; and
- Conflicts of interest should be avoided.

**Benefits, Gifts and Prizes should not involve time away from official duties**

Offers of tickets or corporate hospitality at sporting events, cultural events or other major recreation attractions are to be treated in the same manner as all other benefits, gifts and prizes. Any employee or elected member attending a sporting event, cultural event or recreation attraction as part of a benefit, gift or prize, must ensure that this occurs outside the employee's normal working hours or on approved leave.

**An Officer must:**

- Not directly or indirectly encourage, solicit or accept a bribe or other illegal benefit, and must report any such instance;
- Not directly or indirectly encourage, solicit or accept any benefit in connection with their position other than in accordance with this policy;
- Not directly or indirectly use their position other than for the public interest.



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An Officer or elected member will, in every case complete a "Declaration of Benefits, Gifts or Prizes Received" (as per the attached form) for submission to the CEO's office to record the acceptance of any benefit, gift or prize over \$100 in value in the Register of Benefits, Gifts and Prizes.

**An Officer or elected member may accept a benefit:**

- If it does not influence, or have the potential to influence, the recipient in such a way as to compromise or appear to compromise the recipient's integrity and impartiality or to create a conflict of interest or perception of conflict of interest;
- If it is not related to advice or decisions about (but not limited to) granting licences, inspecting and regulating businesses or giving approvals for such things as tenders and contracts;
- If the obligation or potential obligation implied in accepting the gift, benefit or prize for all values and types has been discussed and approved with your Manager or the Chief Executive Officer.
- If the gift is given in the course of official duties and relates to the work of the Section/Department or has a benefit to the Community or it is normal in the gift giver's culture and not accepting a gift or benefit could cause offence.

A benefit received by an officer in connection with his/her position will remain the property of the Council and must, in the first instance, be referred to the appropriate Manager to determine how the benefit, gift or prize will be managed and then notify the Chief Executive Officer. This includes prizes won while attending conferences on behalf of Council. Prizes of a substantial nature may be donated to a registered charity at the discretion of the Chief Executive Officer in conjunction with the winner of the prizes.

The Register of Benefits, Gifts and Prizes will be subject to external audit review. Records must be retained for a minimum of 5 years.

**6 LEGISLATION**

Local Government Act 2009

Local Government Regulation 2012

Crime and Corruption Act 2001

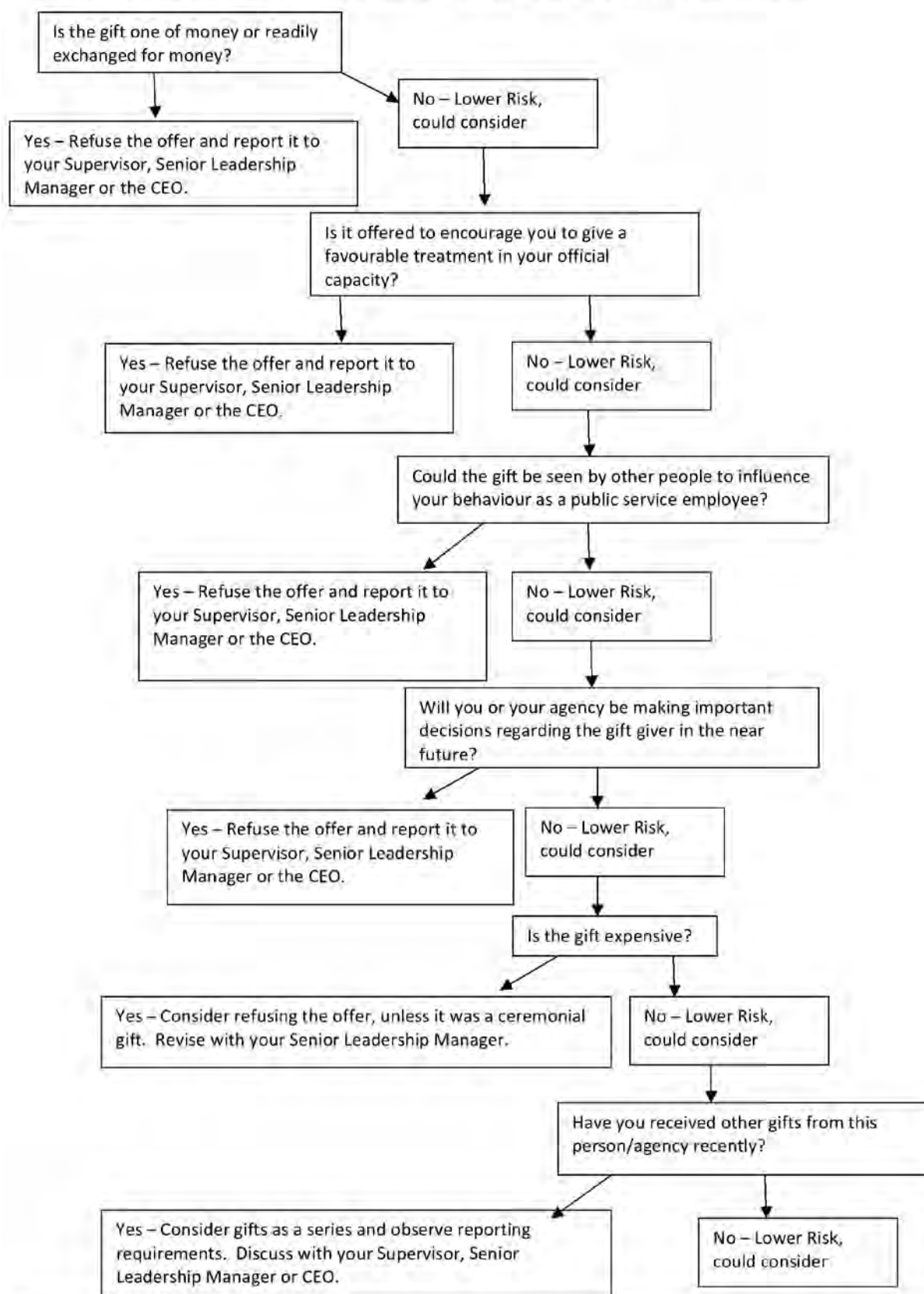
**7 ASSOCIATED DOCUMENTS**

Council's Code of Conduct

Useful decision making guide

## APPENDIX ONE - Useful Decision-making Guide

**THIS GUIDE IS ONLY AN EXAMPLE OF HOW AN EMPLOYEE OR ELECTED MEMBER COULD CONSIDER WHETHER A GIFT OR BENEFIT SHOULD BE ACCEPTED. SPECIFIC CIRCUMSTANCES SHOULD BE DISCUSSED WITH YOUR SUPERVISOR, SENIOR LEADERSHIP MANAGER OR THE CEO.**



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## 5.4 Adoption of Policy Framework

### 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

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### Executive Summary

A Policy Framework has been developed to assist in the consistent approach to the management of Council Policies. The Framework provides guidance on what constitutes a policy, how policies are to be developed, adopted or amended, reviewed, recorded, implemented, and published.

Council has not previously had a consistent approach to the management of policies. A full policy review was conducted in 2011 which saw the removal of over 60 policies from Council's policy register. The review was considered to be ongoing, and since that time Council has reviewed and adopted policies on a rolling basis.

### Recommendation

That Council adopts the attached Policy Framework.

### Background Information

Previously, Council has not had a formal adopted approach to the management of Council Policies. Policies are in various formats and have not always been reviewed and updated in a timely fashion.

### Link to Corporate/Operational Plan

5.3 Commitment to continuous improvement, customer service and accountability.

5.3.3 Adhere to the governance framework and public reporting systems

### Consultation

The SLG were involved with the development of the draft policy framework. Council were consulted during the Council workshop held on 21 February, 2017.

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## **Legal Authority or Implications**

N/A

## **Policy Implications**

The Policy Framework provides guidance for the management of all Council policies. Council will continue to review current policies and determine their status.

## **Financial and Resource Implications**

N/A

### **Report prepared by:**

Rebecca Woods- Executive Officer

### **Report authorised by:**

Terry Brennan- Chief Executive Officer

## **Attachments**

1. Policy Framework





**Commencement Date:** 1 September 2016

**Function:** Governance

**REVISION HISTORY**

Rev	Status	Date	Approve/Meeting	Resolution/Document No.
1.0	DRAFT	8/08/2016		
1.1	Revised DRAFT	4/1/2017		

**1 PURPOSE**

To establish the framework for the management of Policies, Operational Standards and supporting instruments for Burdekin Shire Council and ensure alignment to relevant Statutory Instruments, as appropriate.

**2 SCOPE**

This Framework applies to the development, approval or adoption, amendment, review, implementation, monitoring and availability of Council policies. The framework also describes the hierarchy of Council Policies, Operational Standards, Procedures and supporting instruments.

**3 DEFINITIONS**

***Statutory Policy***

These policies exist as a result of external regulatory requirements and are therefore classified as Statutory Policies. They must be adopted by resolution of Council and reviewed, updated and readopted in accordance with requirements under the relevant pieces of State or Federal Legislation.

***Corporate Policy***

These policies set out Council's corporate intentions and direction. They will generally be policies which reflect Council's position on issues that impact the community in some way. Many Corporate Policies will require some level of community consultation and will often relate to the services and activities provided to the community by the Council. Where a policy should be made publicly available as part of transparency and accountability practices the policy will be classified as a Corporate Policy.

***Operational Standards***

Operational Standards provide direction and guidance, or establish responsibilities or limits for the internal operations of Council. These standards can be considered as "internal policies" and generally do not face "outwards" or affect the community, rather they are internal standards directed at staff activity, conduct or behaviour.

Operational Standards are approved and reviewed by the CEO and do not need to be adopted by Council resolution.

***Management Commitment Statements***

Management Commitment Statements are provided by the top level of management in Council (The CEO and SLG) to demonstrate involvement, commitment or undertakings by senior management regarding a particular topic. Management Commitment Statements are usually a one page document. A management commitment statement may state the goals and objectives set by senior management regarding a particular topic.

***Guidelines, Procedures and Process Documents***

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Guidelines, procedures and process documents form the supporting instruments for the implementation of policies and operational standards. These documents must align with the policy or operational standard they sit beneath. Guidelines are used to provide recommendations, direction or instruction. Procedure and process documents set out the established or official way for actions to be conducted.

#### **4 POLICY FRAMEWORK STATEMENT**

Council will establish an appropriate framework to enable it to effectively and efficiently manage its obligations and compliance risks.

A Policy is a high level strategic directive that establishes a principle-based approach to a subject. A Policy should be developed for any area of the Council's operations where direction or purpose needs to be set in order to conduct business.

This policy framework provides an overview of the development, amendment, review, adoption and implementation of policies at Burdekin Shire Council.

This Framework establishes a hierarchy and categories of Policies, Operational Standards and Procedures and sets out the requirements and standards for each step of the development and improvement process. All Policies and Procedures must be developed, implemented, approved, monitored and revised in accordance with this Framework.

#### **5 PRINCIPLES**

Council Policies will:

- 5.1. Align with Council's adopted values and mission statement within the Corporate Plan.
- 5.2. Be informed by and comply with legislative and industrial requirements
- 5.3. Not compete with or contradict other policies and guidelines
- 5.4. Clearly outline responsibilities including actions and decisions
- 5.5. Wherever possible, appropriately mitigate risk
- 5.6. Be centrally registered and easily accessible
- 5.7. Be clear and comprehensible

#### **6 APPLICATION OF POLICIES**

- 6.1. A Council policy will remain in force unless it is formally rescinded by Council resolution.
- 6.2. Where there is a change in organisational structure or position title which affects the responsible officer detail on an existing policy, the policy will remain in force until a new policy is developed or the policy is rescinded. The CEO may nominate an alternate position to take on responsibility of a policy until the policy is updated. Normal approval and adoption processes must be followed.
- 6.3. Council policies must be applied fairly and consistently

#### **7 POLICY HIERACHY**





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## **8 POLICY DEVELOPMENT**

The process of policy development will include appropriate consultation and policies will be reviewed continuously. Policy development may be informed by prevailing legislative requirements, sector best practice or Council's strategic direction.

To achieve consistency in appearance, policies should be developed using the adopted Policy Guidelines and Template. Policies, once in draft format, should be circulated to all Senior Leadership Group members for consideration and comment.

Statutory and Corporate Policies may have to be discussed with the Council during the development phase, prior to being presented to Council for adoption at a Council meeting.

## **9 APPROVAL OR ADOPTION**

Statutory and Corporate policies must be presented to Council for adoption by resolution. A report will be prepared to present each council policy to Council to ensure councilors are given sufficient information to make an informed decision when voting to adopt a policy. Background information should be provided to demonstrate where the policy has been developed from and why (e.g. explaining the reason for having the policy.) Council will vote on the policy and may adopt a policy with amendments. Any adopted amendments should be added to a policy before it is published to the website. The exception to this is when policies are presented to Council as part of the Budget adoption report. The Debt Policy and the Investment Policy are both adopted during the budget adoption process and these policies do not get presented to Council with a meeting report. These policies may be discussed with Council prior to the budget meeting.

Operational Standards are approved by the CEO. Usually operational standards will be developed in consultation with the Senior Leadership Group and any key personnel.

## **10 POLICY REVIEW**

Council policies should be regularly reviewed and updated. All new Council policies will include a written review date- usually every 2-3 years unless there is a statutory requirement to review more frequently. Existing policies adopted by Council with no review date should be reviewed and updated to include a new review date.

Policies under review will undergo a similar process to policies under development. Appropriate consultation should be conducted and a draft presented to the Senior Leadership Group for comment and consideration.

After review and any alterations, policies will be presented to Council for readoption with a new resolution number recorded and a new review date set. In most cases a revision history will be included in the policy document. Where legislation requires Council to adopt a new policy annually, there will be no revision history.

Policies which have been recently implemented should also be monitored for effectiveness. Any necessary amendments or changes should be flagged with the responsible officer. Any necessary changes to the policy should be made by Council resolution.

## **11 RECORD KEEPING**

All Council policies will be retained according to Council record keeping principles within Council's corporate records management system ECM (Enterprise Content Management). Adopted Council policies will also be published to Council's public website. A central Policy Register will be maintained to record all current, rescinded and developing policies. The register will record the name, function, adoption date, review date, categorisation, responsible officer, and policy owner for each policy.

Operational Standards will be published to Council's intranet.

## **12 POLICY IMPLEMENTATION**

Where a new Statutory or Corporate Policy is adopted, appropriate methods of notification may be undertaken including: social media posts, direct mail, focus groups, information sessions, or media release.

Operational Standards will be emailed to all relevant staff via internal email and a copy placed on the external notice boards where it is appropriate to do so. Where an Operational Standard only affects a particular group

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of Council workers, only that group will be notified of the policy. Supervisors and Managers will have the responsibility of briefing staff on any new or updated policies and the way these policies should be implemented in the workplace and the significance or outcome the policy will have on the workplace. Supervisors and Managers are responsible for making sure employees are available for any training associated with the implementation of a policy. Managers are responsible for ensuring that work practices align with each adopted Council policy and operational standard.

All new employees should be introduced to Council's policies on the public website upon induction, and employees should regularly refresh their knowledge of the policies by viewing them on the Council website.

For some policies and operational standards a Take 5 will be developed and rolled out across the organisation to document that all employees have been made aware of the policy or standard.

Responsible officers listed in a policy or operational standard must ensure they carry out their listed responsibilities as per the adopted policy.

Contractors to Council should also be made aware of relevant policies in Council's policy register when contracts are entered into. <END>



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## 6 CLIENT SERVICES

## 7 FINANCIAL & ADMINISTRATIVE SERVICES

## 8 OPERATIONS

## 9 TECHNICAL SERVICES

### 9.1 Proposed Road Closure Horseshoe Lagoon

#### Document Information

**Referring Letter No:** 1561460

**File No:** 1644

**Name of Applicant:** William Huston

**Location:** Near Majors Road, Horseshoe Lagoon

**Author and Title:** Matthew Ingle, Design office Manager

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#### Executive Summary

Request to temporarily close unmade roads adjacent to Lot 62 CP881078 and Lot 67 CP844263

#### Recommendation

Council resolves to offer no objection to the temporary closure of roads adjacent to Lot 62 CP881078 and Lot 67 CP844263

#### Background Information

A request has been received from Mr William Huston asking for council's views on the temporary closure of roads outlined in red on the diagrams below. The track on the road reserve between Lot 67 CP881078 and Lot 67 CP844263 only gives access to Mr Huston's

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properties. Mr Huston owns Lot 62 and has a lease over Lot 67. He wishes to obtain temporary road closure over this road as well as a section adjoining the southern boundary of Lot 67.

Neither of the closures will affect any public access. Currently the land is not cultivated.

Once closed an application for a licence to graze cattle would be sought. No cultivation of the land is intended.

**Link to Corporate/Operational Plan**

NA

**Consultation**

NA

**Legal Authority or Implications**

NA

**Policy Implications**

NA

**Financial and Resource Implications**

Nil

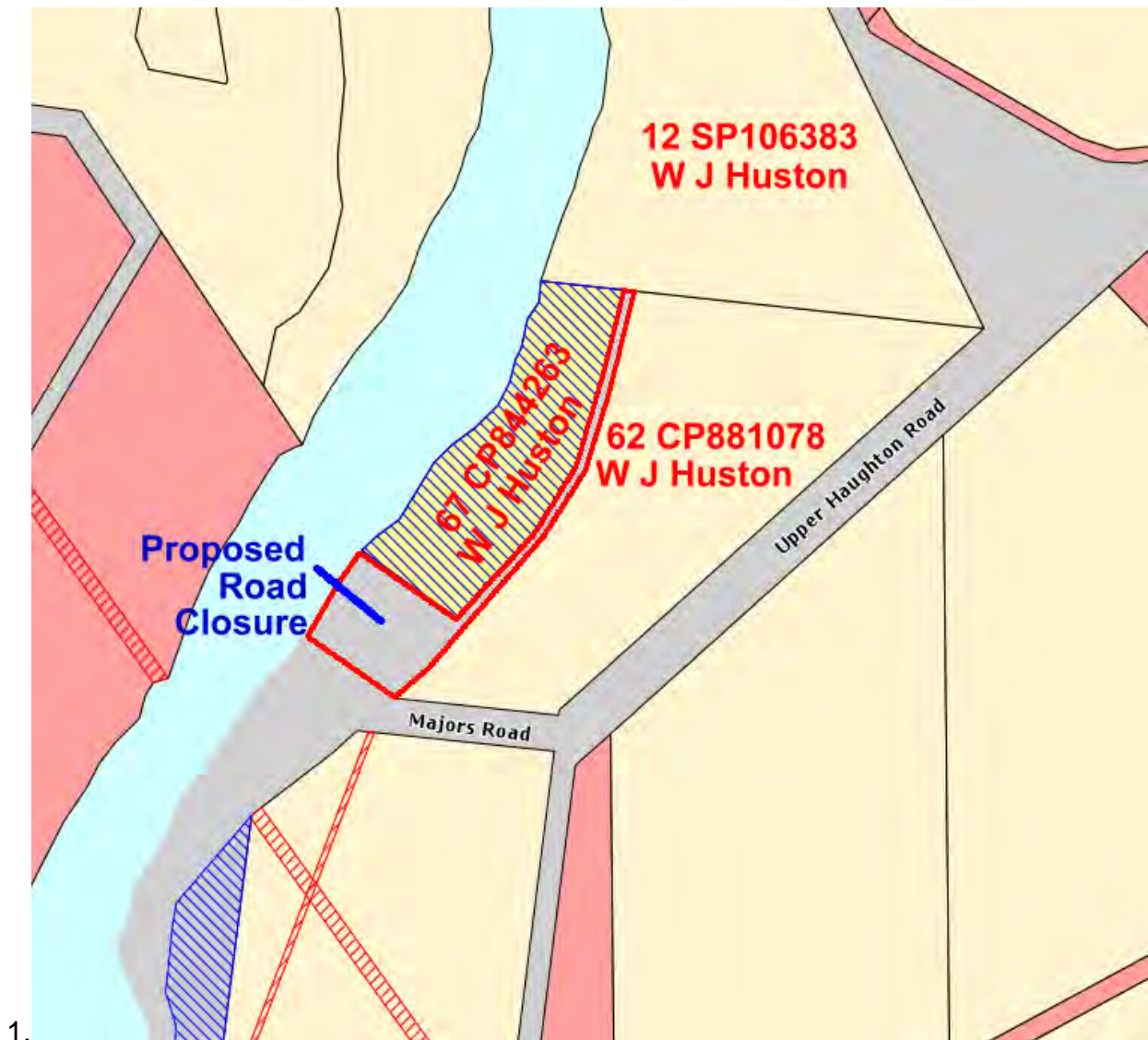
**Report prepared by:**

Matthew Ingle

**Report authorised by:**

Matthew Ingle

## Attachments



1.



2.



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## **10 PLANNING & DEVELOPMENT**

### **10.1 Development Application Material Change of Use for Service Station and Shops at 32838 Bruce Highway, Horseshoe Lagoon (Lot 11 on SP126376 Parish of Selkirk, County of Gladstone)**

#### **Document Information**

**Referring Letter No:** 1536093

**File No:** 226 (Cons16/0024)

**Name of Applicant:** SHA Premier Constructions Pty Ltd

**Location:** 32838 Bruce Highway, Horseshoe Lagoon (Lot 11 on SP126376, Parish of Selkirk, County of Gladstone)

**Author and Title:** S Great – Manager Planning and Development

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#### **Executive Summary**

An application has been received from MacCallum Planning and Architecture on behalf of their client SHA Premier Constructions Pty Ltd, seeking approval for a Material Change of Use for Service Station and Shops at 32838 Bruce Highway, Horseshoe Lagoon (Lot 11 on SP126376 Parish of Selkirk, 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 Service Station and Shops at 32838 Bruce Highway, Horseshoe Lagoon (Lot 11 on SP126376, Parish of Selkirk, 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 All rates and charges (including infrastructure charges), in arrears in respect of the land, subject of the application, are paid in full prior to the commencement of the proposed use.

#### **APPROVED USE**

- 2.1 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 by MacMcallum Planning & Architecture, STP Consultants and Parker hydraulic Consulting Group; except where modified by the conditions of this Development Permit and any approval issued there under.

<b>Plan/Document</b>	<b>Prepared By</b>	<b>Drawing No.</b>	<b>Date</b>
Site Based Stormwater Management Plan	STP Consultants	STP16-0037 Rev A	25/11/2016
Site Plan: Proposed	MPA Design	15018 - 101	28/09/2016
Floor Plan	MPA Design	15018 - 102	28/09/2016
Front and Side Elevations	MPA Design	15018 - 201	28/09/2016
Back and Side Elevations	MPA Design	15018 - 201	28/09/2016
Signage Details	MPA Design	15018 - 601	28/09/2016
Hydraulic Services Report	PHCG	H01	21/04/2016

## **BUILDING WORK**

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

## **NOTICE OF INTENTION TO COMMENCE THE USE**

3. Prior to the commencement of the use on the site, written notice must be given to Council that the use (development and/or works) fully complies with the decision notice issued in respect of the use.

## **EXTERNAL WORKS**

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.

## **DAMAGE**

5. Any damage which is caused to Council's infrastructure as a result of the proposed development must be repaired immediately.

## **DRAINAGE**

- 6.1 Stormwater drainage from paved/sealed and roofed areas is to be generally in accordance with the stormwater management plan submitted.
- 6.2 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.
- 6.3 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system.

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## **OPERATIONAL WORKS**

7. Where operational works are required to be carried out for the development, 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;

## **WATER AND SEWERAGE SUPPLY**

8. The applicant is to provide evidence to the Burdekin Shire Council that sewerage treatment and disposal and the supply of potable water supply has been developed in accordance with the Parker Hydraulic Consulting Group report submitted.

## **ACCESS AND CAR PARKING**

- 9.1 Parking shall be provided generally in accordance with the approved plan from the application submitted.
- 9.2 Parking space, access and layout must be generally designed in accordance with the provisions contained in Schedule 2 – Vehicle Parking Rates & Standards of the Planning Scheme.
- 9.3 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.
- 9.4 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.

## **LANDSCAPING**

10. A landscaping plan shall be submitted. 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;

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## ACOUSTIC TREATMENTS

11. Acoustic treatments and management principles to mitigate onsite noise emissions are to be constructed and implemented into the proposal. Such measures are to be strictly in accordance with the specifications contained within the noise assessment report by *Norman Disney and Young* submitted as part of the application.

## ENVIRONMENT AND HEALTH

### General

- 12.1 The existing underground storage systems should be assessed and decommissioned in accordance with Australian Standard 4976 – the Removal and Disposal of Underground Petroleum Storage Tanks.
- 12.2 This development approval authorises the storage of fuel and dangerous goods to the volume not exceeding 165,000KL.
- 12.3 An acid sulphate management plan is to be developed detailing the management of acid sulphate soils during excavation.
- 12.4 The underground petroleum system must be designed, installed and an equipment integrity test performed in accordance with Australian Standard 4897 – The Design, Installation and Operation of Underground Petroleum Storage Systems. Records should be available when requested.
- 12.5 An Environmental Management Plan (EMP) must be developed and maintained for the site which includes the following:
- The leak monitoring procedure for the system
  - The incident management procedure for the system
  - A maintenance schedule
  - Current as-built drawings for the system.
  - Storage site plan
  - Lists of industry standards with which industry has complied
  - A copy of all specifications adopted in the design and installation of the storage system
  - Contact details for the storage system
  - Integrity test results.
- 12.6 The underground petroleum system including pipework must be installed with secondary containment to avoid any leakage as per Australian Standard 1940 The Storage and Handling of Flammable and Combustible Liquids.
- 12.7 As a minimum, at least one monitoring well must be installed on the site to which this approval relates to be used for sampling ground water to determine contamination as required. Ground water monitoring must be undertaken where leakage from the underground petroleum product system has been found. All records should be documented and available on request. Corrective actions should be documented.



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- 12.8 An equipment integrity test shall be required when a leak from the underground petroleum system is suspected, when the product inventory reveals a discrepancy that cannot otherwise be explained or otherwise every 12 months.
- 12.9 Inspection and testing on cathodic protection and of mechanical and electrical leak detection equipment must occur at least every 12 months. Records must be maintained and provided to an authorised Council officer when required.
- 12.10 Overfill protection devices must be provided and operational where fuel is delivered by gravity.

#### Air

- 13.1 No release of contaminants, including, but not limited to dust, fumes, odour or aerosols is to cause or be likely to cause an environmental nuisance beyond the boundaries of the premises to which this development permit relates.
- 13.2 Upon receipt of a complaint regarding the emission of dust, odour or other air emission, the operator must within a reasonable period of time:
- take any actions necessary to resolve the complaint, and
  - implement abatement measures to minimise the emissions from the site.

#### Waste

- 14.1 The activity must be operated in accordance with Council's Waste Management Policy and the *Environmental Protection (Waste Management) Regulation 2000*. The enclosure provided for the storage of waste bins must be sized sufficiently for the storage of refuse and recycling bins. The enclosure must be provided with an impervious floor, provided with a suitable hosecock and drained to sewer in accordance with Burdekin Shire Council plumbing and drainage requirements. The requirements must incorporate a roof or stormwater diversion valves to prevent the ingress of stormwater to the sewerage system and be fitted with traps and back flow prevention devices as required.
- 14.2 All spillage of fuels must be cleaned up as soon as practical. Such spillage shall not be cleaned up by hosing or otherwise releasing such wastes, contaminants or material to the land, stormwater or any roadside gutter.
- 14.3 A spill kit shall be maintained on site for use on spillages and be readily accessible at all times during operating hours.
- 14.4 Carparks, landscaping and paved areas shall be regularly maintained clear of litter and potential contaminants shall be cleaned from the site on a regular basis.
- 14.5 There shall be no release of litter or contaminants from the site to any roadside gutter, drain or waters.

#### Water

- 15.1 All sumps and drainage from the fuel dispensing and fuel loading areas must be maintained to ensure spillage of fuel is not directed into stormwater drains.

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- 15.2 Fuels, oils and similar materials contained in packages must be stored in banded and covered areas or otherwise stored in a manner whereby any spillage is not subject to stormwater or stormwater runoff.
- 15.3 Forecourts, carparking areas and driveways must not be hosed or washed to allow the release of contaminants to stormwater or into roadside gutters.
- 15.4 Wastewater and other liquid wastes must not be discharged to waters or stormwater except to sewer under conditions of a trade waste permit.
- 15.5 Any interceptor tank installed for the purpose of collecting waste water must be maintained to ensure that there is no possibility of overflow or spillage into stormwater.

### Noise

- 16.1 The activities subject to this development approval must be conducted in a manner to ensure that no noise deemed unreasonable by an authorised person and caused by the activity can be detected beyond the boundary of the site to which this development permit relates.
- 16.2 Upon receipt of a complaint regarding the emission of noise from the subject site, the operator must within a reasonable period of time:
- take any actions necessary to resolve the complaint; or
  - implement noise abatement measures until emission of noise from the operation of the activity does not result in sound pressure levels in excess of those contained within Table 1.

In the event of a complaint about noise that is considered reasonable, the emission of noise from the development must not result in levels greater than those specified in Table 1 until the circumstances which gave rise to the complaint are resolved.

Table 1: Noise Limits

NOISE LIMITS MEASURED AT THE BOUNDARY OF THE DEVELOPMENT SITE		
Period	Measured as $L_{Aeq}$	Measured as Max $L_pA$
7am – 6pm	55	60
6pm – 10pm	50	55
10pm – 7am	45	50

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## Food

17. Water analyses results are to be submitted to Council to ensure water supply is fit for human consumption on the following schedule:

- Microbial analysis – every 6 months
- Inorganic analysis – every 3 months.

### ***Advice (These are not conditions)***

- *General waste and recycle services must comply with Councils Waste Management Policy.*
- *Any food prepared or sold from the site must comply with the provisions of the Food Act 2006.*
- *Food premises fit out plans must be submitted to Council approval prior to construction.*
- *It is the developer's responsibility to ensure compliance with the Environmental Nuisance of the Environmental Protection Act 1994 which prohibits unlawful environmental nuisance caused by dust, ash, fumes, light, odour or smoke beyond the boundaries of the property during all stages of the development including earthworks and construction.*

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

### **Background Information**

Burdekin Shire Council acting as the Assessment Manager has received a properly made Development Application for a Material Change of Use (Service Station and Shops) from MacCallum Planning and Architecture on behalf of their client SHA Premier Constructions Pty Ltd. The land is zoned 'Rural' under the provisions of Council's IPA Planning Scheme. The proposal triggers an 'Impact Assessable' Development Application in accordance with the provisions of the Burdekin Shire Council's IPA Planning Scheme.

### **Details of the Application:**

The proposal is seeking approval to conduct a Service Station and Shops on the subject site. Given the proposed uses, an Impact Assessable Development Application requiring public notification was required as well as the application being referred to full Council for determination.

The proposed service station and shop is going to replace an older existing facility of similar use. The proposed upgrade will be located in the same location with site coverage of around 9% and will incorporate 3 double sided standard bowzers and 3 double sided truck fuelling bowzers. The roadhouse and shop tenancy will cover an area of 600m<sup>2</sup> with the roadhouse using 450m<sup>2</sup> and the shop 150m<sup>2</sup>. The roadhouse will sell goods generally available for a service station, while the shop component will contain a produce stall.

The proposed development will provide vehicle access from the Bruce Highway. Traffic movements including access, egress, layout and vehicular turning paths have been

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investigated with a Traffic Impact Assessment detailing transport frequency and peak times of use associated with the proposed development.

On-site parking has been provided. In total, 17 carparks and 6 heavy vehicle parking bays are included to accommodate for the customers of the service station and shop.

Given that the site fronts the Bruce Highway which is a State Controlled Road, the application was referred to NQSARA, with the Department of Transport and Main Roads (DTMR) being the technical agency. The DTMR have supported the application with conditions and have requested that these conditions be included as part of any approval granted by the Assessment Manager. These conditions are generally pertaining to heavy vehicles access and egress to the Bruce Highway and will ensure that any works proposed on the Bruce Highway are done in accordance with DTMR specifications.

The proposed operating hours for the development are 24 hours a day seven days a week with the staff numbers being between 1 and 6 depending on customers.

Historically the site has had a number of similar businesses operating since the early 1980's. The most recent addition of a shop was added in 2000.

### **Site Description and Surrounding Land Uses:**

The subject site is located south of Giru on the northern side of the Bruce Highway. The site has a total area of 8385m<sup>2</sup> and has a physical address of 32838 Bruce Highway, Horseshoe Lagoon. The site is currently improved with a service station and shed that has several tenants over a number of years selling different items including fruit & vegetable produce, seafood and agricultural supplies.

The surrounding area is predominately agricultural land with two farm buildings to the north and a house approximately 150m to the north-east.

Part of the subject site is listed on the Environmental Management Register due to the current use as a service station, the location of any underground tanks is unknown so the appropriate remediation and removal will have to be undertaken if necessary during the redevelopment.

### **Recommendation:**

After careful consideration of the application including all supporting material, responses to further information, comments from referral agencies, Council's Development Assessment Team (DAT) members have assessed the application and have drafted specific development conditions that will ensure any negative impacts emanating from the proposal will be minimised.

Given that the proposal can comply with the State planning provisions, referral agency requirements and the relevant Codes contained in Council's Planning Scheme, it is recommended that Council approve the application subject to the abovementioned conditions.

### **Link to Corporate/Operational Plan**

N/A



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## Consultation

The application was advertised in the Ayr Advocate on Wednesday 14<sup>th</sup> December, 2016 and at the closing date for submissions on Friday 27<sup>th</sup> January, 2017, no properly made submissions were received.

All relative Council Departments have been consulted. In accordance with requirements of the Sustainable Act 2009, the application was referred to NQSARA, with the Department of Transport and Main Roads (DTMR) the technical agency. Comments and /or development conditions will be included as part of any Decision Notice issued.

## Legal Authority or Implications

N/A

## Policy Implications

N/A

## Financial and Resource Implications

N/A

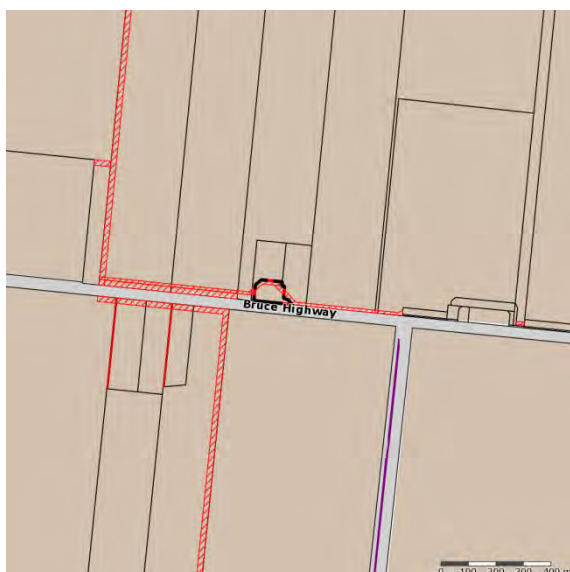
## Report prepared by:

S Great – Manager Planning and Development

## Report authorised by:

S Great – Manager Planning and Development

## Attachments

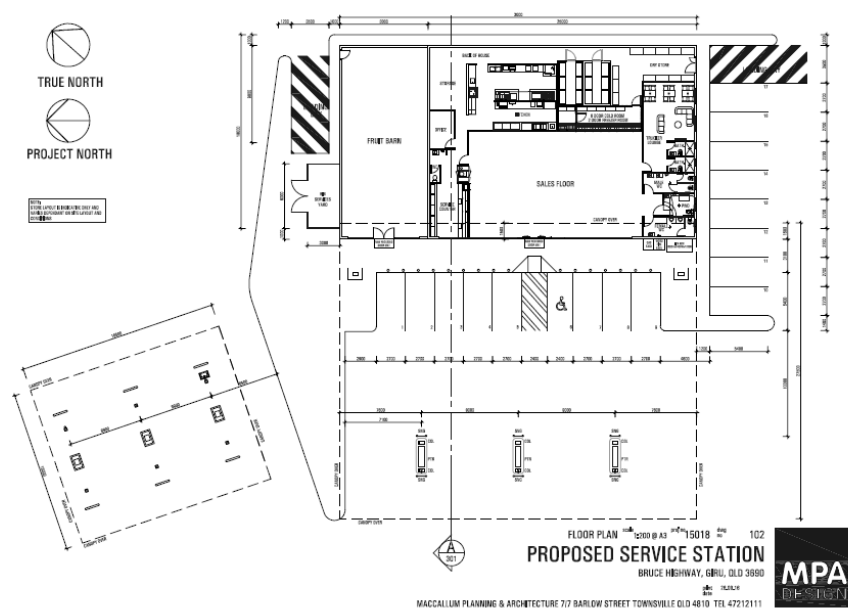
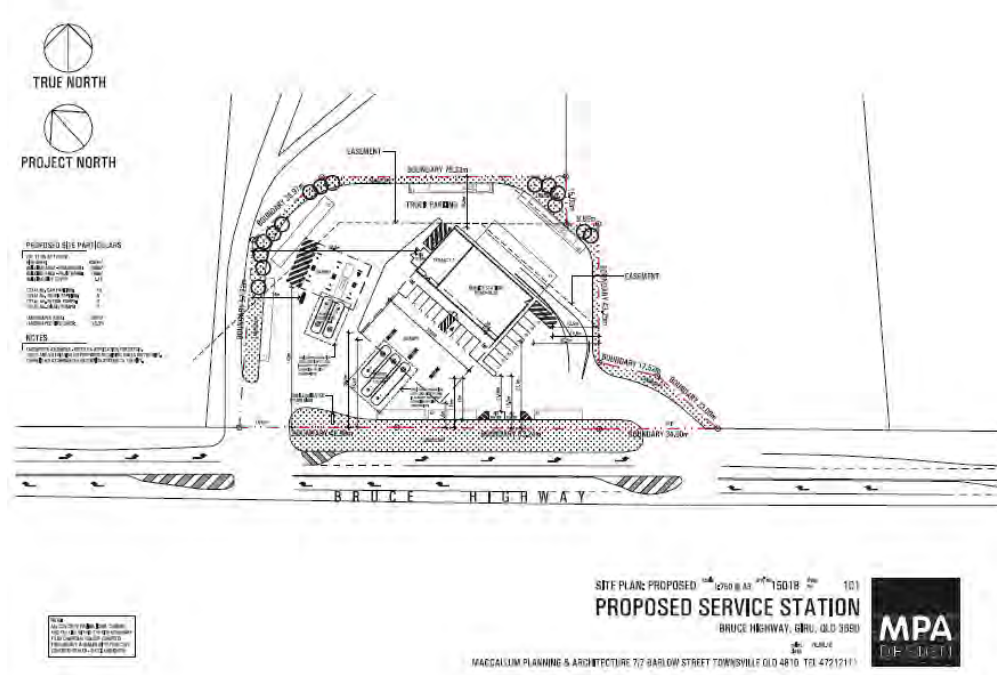


## Planning Scheme



## Zone Map









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**11 COMMUNITY DEVELOPMENT**

**12 ECONOMIC DEVELOPMENT**

**13 NOTICES OF MOTION**

**14 CORRESPONDENCE FOR INFORMATION**

Tabled Separately

**15 GENERAL BUSINESS**

**16 CLOSED MEETING ITEMS**

**17 DELEGATIONS**

