



**BURDEKIN SHIRE COUNCIL**



# **AGENDA**

## **ORDINARY COUNCIL MEETING**

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

**on 14 March 2017**

**COMMENCING AT 9:00AM**

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

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**TUESDAY 14 MARCH 2017**

## **ORDER OF BUSINESS:**

<b>ITEM</b>	<b>PRECIS</b>	<b>PAGE</b>
<b>1</b>	<b>PRAYER</b>	<b>1</b>
<b>2</b>	<b>DECLARATIONS OF INTEREST</b>	<b>1</b>
<b>3</b>	<b>MINUTES AND BUSINESS ARISING</b>	<b>1</b>
<b>3.1</b>	<b>Ordinary Council Meeting Minutes - 28 February 2017</b>	<b>1</b>
<b>3.2</b>	<b>Burdekin Cultural Advisory Group Meeting Minutes - 28 November 2016</b>	<b>32</b>
<b>3.3</b>	<b>Burdekin Senior Advisory Committee Meeting - 8 February 2017</b>	<b>39</b>
<b>3.4</b>	<b>Burdekin Building Safer Communities Action Team Meeting Minutes - 8 February 2017</b>	<b>44</b>
<b>3.5</b>	<b>Local Disaster Management Group Meeting Minutes - 17 February 2017</b>	<b>48</b>
<b>3.6</b>	<b>Burdekin Shire Youth Council Meeting Minutes - 27 February 2017</b>	<b>54</b>
<b>4</b>	<b>REPORTS</b>	<b>58</b>
<b>4.1</b>	<b>Council Workshops - February 2017</b>	<b>58</b>
<b>5</b>	<b>GOVERNANCE &amp; LOCAL LAWS</b>	<b>60</b>
<b>5.1</b>	<b>Review of Council Vehicle Policy</b>	<b>60</b>
<b>5.2</b>	<b>Tenders - Agricultural Lease - Ayr Aerodrome</b>	<b>69</b>
<b>5.3</b>	<b>Expressions of Interest - Ayr Racecourse Reserve</b>	<b>71</b>
<b>5.4</b>	<b>2016-17 Budget Allocation for Boat Storage</b>	<b>80</b>
<b>5.5</b>	<b>Proposed Extension of Leased Area - Home Hill Community Kindergarten Inc</b>	<b>83</b>
<b>6</b>	<b>CLIENT SERVICES</b>	<b>86</b>
<b>7</b>	<b>FINANCIAL &amp; ADMINISTRATIVE SERVICES</b>	<b>86</b>
<b>8</b>	<b>OPERATIONS</b>	<b>86</b>
<b>9</b>	<b>TECHNICAL SERVICES</b>	<b>86</b>



# BURDEKIN SHIRE COUNCIL



<b>10</b>	<b>PLANNING &amp; DEVELOPMENT</b>	<b>86</b>
<b>10.1</b>	<b>Development Application - Material Change of Use for Motor Sports Facility at 30825 Bruce Highway Brandon (Lot 12 on SP138992 Parish of Jarvisfield, County of Gladstone)</b>	<b>86</b>
<b>11</b>	<b>COMMUNITY DEVELOPMENT</b>	<b>97</b>
<b>12</b>	<b>ECONOMIC DEVELOPMENT</b>	<b>97</b>
<b>13</b>	<b>NOTICES OF MOTION</b>	<b>97</b>
<b>13.1</b>	<b>Approval of Submission - Building Our Regions - Round Three</b>	<b>97</b>
<b>14</b>	<b>CORRESPONDENCE FOR INFORMATION</b>	<b>97</b>
<b>15</b>	<b>GENERAL BUSINESS</b>	<b>97</b>
<b>16</b>	<b>CLOSED MEETING ITEMS</b>	<b>98</b>
<b>17</b>	<b>DELEGATIONS</b>	<b>98</b>

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## **1 PRAYER**

## **2 DECLARATIONS OF INTEREST**

## **3 MINUTES AND BUSINESS ARISING**

### **3.1 Ordinary Council Meeting Minutes - 28 February 2017**

#### **Recommendation**

That the minutes of the Ordinary Council Meeting held on 28 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 28 February 2017**

**COMMENCING AT 9:00AM**



TUESDAY 28 FEBRUARY 2017

### ORDER OF BUSINESS:

ITEM	PRECIS	PAGE
1	PRAYER	1
2	DECLARATIONS OF INTEREST	1
3	MINUTES AND BUSINESS ARISING	1
3.1	Ordinary Council Meeting Minutes - 14 February 2017	1
3.2	Burdekin Be Active Committee Meeting Minutes - 1 February 2017	2
3.3	Audit Committee Meeting Minutes - 8 February 2017	2
4	REPORTS	2
4.1	Operating Statement for Period Ending 31 January 2017	2
4.2	Capital Projects Monthly Report for Period Ending 31 January 2017	3
5	GOVERNANCE & LOCAL LAWS	3
5.1	Amendment to Subordinate Local Law No. 3 (Community and Environmental Management) 2012 to declare Neem Tree as Local Pest	3
5.2	Rescission of Administrative Policies	4
5.3	Adoption of Receipt of Gifts, Benefits and Prizes Policy	5
5.4	Adoption of Policy Framework	6
6	CLIENT SERVICES	6
7	FINANCIAL & ADMINISTRATIVE SERVICES	6
8	OPERATIONS	6
9	TECHNICAL SERVICES	7
9.1	Proposed Road Closure Horseshoe Lagoon	7
10	PLANNING & DEVELOPMENT	7
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,	7

Ordinary Council Meeting 28 February 2017



## BURDEKIN SHIRE COUNCIL



County of Gladstone)

11	COMMUNITY DEVELOPMENT	13
12	ECONOMIC DEVELOPMENT	13
13	NOTICES OF MOTION	14
14	CORRESPONDENCE FOR INFORMATION	14
14.1	Request - Rotary Youth Driver Awareness Program	14
15	GENERAL BUSINESS	14
15.1	Request - Use of Council Bus - Burdekin Seniors Advisory Group	14
15.2	Donation - Council Used Ride-On Mowers	14
15.3	Parking Signs - Parker Street Ayr	15
15.4	Approved Leave of Absence - Councillor Liessmann	15
15.5	Trial - Virtual Magical Park - Plantation Park	16
16	CLOSED MEETING ITEMS	16
15	GENERAL BUSINESS	17
15.6	Request - Plantation Park Fruit and Vegetable Roadside Vending - S and M McLearn	17
15.7	Sport and Recreation Conference - Plan, Prepare, Perform - 17-18 March 2017	17
17	DELEGATIONS	17

Ordinary Council Meeting 28 February 2017



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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. S. Great - Manager Planning and Development  
Mr. T. Vaccaro – Manager Community Development  
Mrs. K. Olsen - Manager Financial and Administrative Services  
Mr. W. Saldumbide - Manager Operations  
Mr. K. Byers - Manager Technical Services  
Mrs. E. Robinson – Manager Client Services

Minutes Clerk – Mrs. S. Saunders

## **1 PRAYER**

The meeting prayer was delivered by Councillor Woods.

## **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 - 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.

#### **Resolution**

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

CARRIED



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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.

Councillor McLaughlin asked that the minutes be amended for Item 4 – Sport and Recreation planning studies to clarify that Council was applying for funding to update its current Sport and Recreation Plan.

#### **Resolution**

Moved Councillor Liessmann, seconded Councillor Perry that the recommendation be adopted subject to the change requested by Councillor McLaughlin and with the exclusion of Item 6 as further investigation and planning is required for future consideration.

CARRIED

### **3.3 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.

#### **Resolution**

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

CARRIED

## **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.

#### **Resolution**

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

CARRIED

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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.

### **Resolution**

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

CARRIED

## **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**

#### **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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## **Resolution**

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

CARRIED

## **5.2 Rescission of Administrative Policies**

### **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 a decision is made. Those policies will be reviewed with Council at a later date.

### **Recommendation**

That Council formally rescinds the following policies which will be 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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## **Resolution**

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

CARRIED

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

#### **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 Receipt of Gifts, Benefits and Prizes Policy. (Refer to Appendix A)

## **Resolution**

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

CARRIED



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## **5.4 Adoption of Policy Framework**

### **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 Policy Framework. (Refer to Appendix B)

### **Resolution**

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

CARRIED

## **6 CLIENT SERVICES**

## **7 FINANCIAL & ADMINISTRATIVE SERVICES**

## **8 OPERATIONS**

9.55am - Mrs. K. Olsen - Manager Financial and Administrative Services left the meeting.

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## **9 TECHNICAL SERVICES**

### **9.1 Proposed Road Closure Horseshoe Lagoon**

#### **Executive Summary**

A request has been received 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

#### **Resolution**

Moved Councillor Liessmann, seconded Councillor Bawden that the recommendation be adopted subject to the following requirements:

1. The Burdekin Shire River Improvement Trust offering no objection to the temporary road closure of the road adjacent to the river bank.
2. The temporary closure being cancelled if the lease over Lot 67CP844263 is cancelled.

CARRIED

## **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)**

#### **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:



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## 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.

Plan/Document	Prepared By	Drawing No.	Date
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.



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## **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.

## **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.

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## 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;

## 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.



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- 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.
- 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.



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- 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.
- 15.2 Fuels, oils and similar materials contained in packages must be stored in bunded 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 <sub>Aeq</sub>	Measured as Max L <sub>pA</sub>
7am – 6pm	55	60
6pm – 10pm	50	55
10pm – 7am	45	50

### 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.*

### **Resolution**

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

CARRIED

## **11 COMMUNITY DEVELOPMENT**

## **12 ECONOMIC DEVELOPMENT**



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## **13 NOTICES OF MOTION**

### **14 CORRESPONDENCE FOR INFORMATION**

#### **14.1 Request - Rotary Youth Driver Awareness Program**

##### **Resolution**

Moved Councillor Perry, seconded Councillor Liessmann that Council support the request for in-kind donations from the Rotary Clubs of Ayr and Home Hill to assist in staging the Rotary Youth Driver Awareness Program on Friday 3 March 2017 in Home Hill.

CARRIED

### **15 GENERAL BUSINESS**

#### **15.1 Request - Use of Council Bus - Burdekin Seniors Advisory Group**

##### **Resolution**

Moved Councillor Goddard, seconded Councillor Perry that Council approves Councillor Bawden's use of the Council bus to transport members of the Burdekin Seniors Advisory Group along with a Council Officer around the Burdekin to identify areas of concern to seniors on 8 March 2017.

CARRIED

10.28am – Morning Tea

Mr. S. Great - Manager Planning and Development and Mrs. E. Robinson – Manager Client Services left the meeting.

10.57am – Resumed Meeting

#### **15.2 Donation - Council Used Ride-On Mowers**

##### **Resolution**

Moved Councillor Woods, seconded Councillor Liessmann that Council will consider a donation of a used ride-on mower up to a size of approximately 18hp and up to the value of approximately \$1000 to not-for-profit community organisations as a one off donation where Council is disposing these items of plant and equipment.

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Voting on Motion

FOR - Councillors Woods, Goddard, Liessmann, Perry, McLaughlin and Bawden

AGAINST - Councillor Bonanno

6/1

CARRIED

### **15.3 Parking Signs - Parker Street Ayr**

#### **Resolution**

Moved Councillor Woods, seconded Councillor Perry that Council Officers prepare a report on the usage of existing parking spaces and the replacement of regulated parking signs in Parker Street between Queen and Graham Streets, Ayr.

Voting on Motion

FOR - Councillors Goddard, Woods, Perry, McLaughlin, Bawden and Bonanno

AGAINST - Councillor Liessmann

6/1

CARRIED

### **15.4 Approved Leave of Absence - Councillor Liessmann**

#### **Resolution**

Moved Councillor Woods, seconded Councillor Bawden that Council approve leave of absence for Councillor Liessmann from 21 – 28 March 2017.

CARRIED

12.08pm - Mr. T. Vaccaro – Manager Community Development left the meeting.

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## **15.5 Trial - Virtual Magical Park - Plantation Park**

### **Resolution**

Moved Councillor Perry, seconded Councillor Bonanno that Council approves the conduct of a two week trial of the Virtual Magic Park at Plantation Park Ayr with a set up cost of \$150.

### Voting on Motion

FOR – Councillors Goddard, Woods, Perry, Bonanno and McLaughlin

AGAINST – Councillors Liessmann and Bawden

5/2

CARRIED

## **16 CLOSED MEETING ITEMS**

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

### **Resolution**

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

275(1)(e) contracts proposed to be made by Council;

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;

- Tenders for the switchboard upgrade at South Ayr Water Treatment Plant.
- Roadside vending operation in Plantation Park
- Home Hill Swimming Pool matters

CARRIED

Councillors McLaughlin and Bonanno declared a conflict of interest in relation to the Tender item for the switchboard upgrade due to being close personal friends of one of the tenderers and they retired from the meeting whilst this matter was discussed, with Councillor Woods chairing the meeting. At the conclusion of the discussion on this item Councillors McLaughlin and Bonanno returned to the closed session and Councillor McLaughlin resumed the Chair.



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## **Council Meeting opened to Public**

### **Resolution**

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

CARRIED

## **15 GENERAL BUSINESS**

### **15.6 Request - Plantation Park Fruit and Vegetable Roadside Vending - S and M McLearn**

#### **Resolution**

Moved Councillor Goddard, seconded Councillor Bawden that Council not approve the request from S & M McLearn to extend their roadside vending approval at Plantation Park to include a fresh smoko van, 3 small tables and chairs and the planting of 2 beds of sugar cane, on the following grounds:

- The existing approval is limited to the fruit and vegetable vehicle only.
- Council is unwilling to make any further approvals in this immediate area pending finalisation of a Plantation Park master plan.
- Any extension to the approval would likely increase traffic and pedestrian activity in the immediate area which will lead to an increased road safety risk to a State controlled road.

CARRIED

### **15.7 Sport and Recreation Conference - Plan, Prepare, Perform - 17-18 March 2017**

#### **Resolution**

Moved Councillor Woods, seconded Councillor Bawden that Council approves the attendance of Councillors Perry and Bonanno at the Sport and Recreation Conference – Plan, Prepare, Perform in Townsville from 17 to 18 March 2017 and any expenses to attend the conference be met by Council.

CARRIED

## **17 DELEGATIONS**

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There being no further business the meeting closed at 1.33pm

**These minutes were confirmed by Council at the Ordinary Council Meeting held on 14 March 2017.**

**MAYOR**







**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**

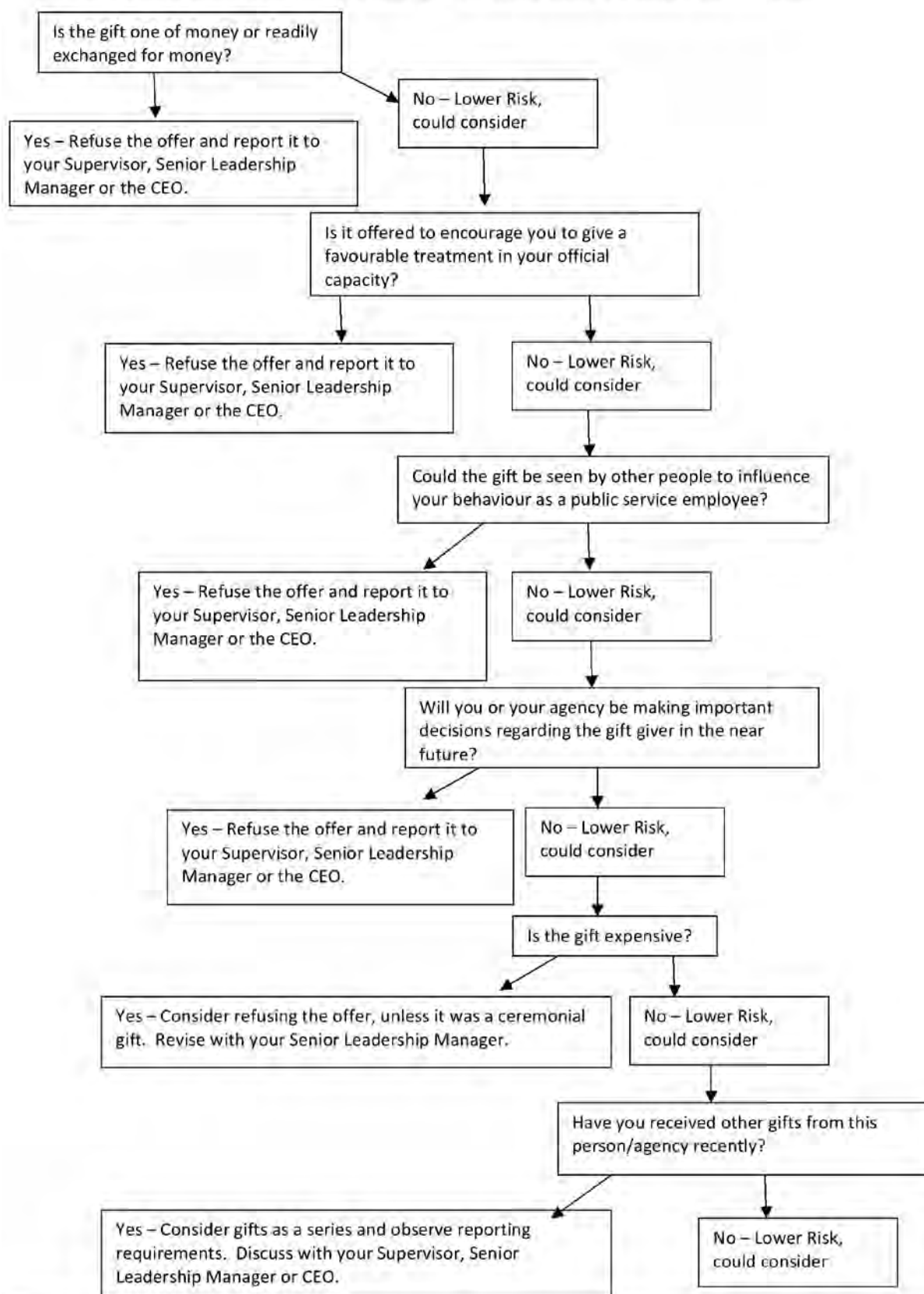
Council's Code of Conduct

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.**





**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***

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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### **3.2 Burdekin Cultural Advisory Group Meeting Minutes - 28 November 2016**

#### **Recommendation**

That the minutes of the Burdekin Cultural Advisory Group Meeting held on 28 November 2016 be received and adopted.



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**MINUTES**  
**BURDEKIN CULTURAL ADVISORY GROUP MEETING**  
**HELD AT JOHN HY-PEAKE ROOMS**  
**On 28 November 2016**  
**COMMENCING AT 3.30PM**

**ATTENDANCE**

Councillors Lyn McLaughlin (Mayor), John Woods (Deputy Mayor) and Sue Perry.

Mr. Peter Pattinson - Community Member  
Mr. Brian Glover - Community Member  
Mrs. Treena List - Community Member  
Mrs. Jocelyn Defranciscis - Burdekin Memorial Hall Committee  
Mr. John Gooding - Community Member  
Mr. Paul Garnsey – Guest, *Burdekin Snow* Presentation  
Mr. John Furnell – Friends of the Burdekin Theatre  
Mrs. Nicky Achurra – Community Member

Minutes Clerk – Mrs. Amy Cranitch

Apologies - Mr. Arthur Smith - Burdekin Memorial Hall Committee, Mrs. Cheryl Platt - Friends of the Burdekin Theatre, Ms. Belinda Johnson- Burdekin Junior Eisteddfod and Mr. Tony Vaccaro - Manager Community Development.

**1 MINUTES AND BUSINESS ARISING**

**Recommendation**

That the minutes of the Burdekin Cultural Advisory Group Meeting held on 24 October 2016 be received as a true and correct record.

**Resolution**

Moved Mrs. List, seconded Mr. Glover that the recommendation be adopted.

CARRIED

**2 BURDEKIN SNOW PRESENTATION – PAUL GARNSEY**

Paul Garnsey visited the Burdekin in 2015 and wrote a screenplay on the community called *Burdekin Snow*. He presented to the Burdekin Cultural Advisory Group an offer in which he would adapt the play into a stage play and have it performed by locals at the Burdekin Theatre. Councillor McLaughlin asked for Paul Garnsey to come back to Mr. Vaccaro with a written plan and contract of how the stage play would be put into action and Mr. Vaccaro will present this to Council.



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### **3 MUSIC LOFT SHADE SAIL UPDATE**

Council arranged for the removal of the old umbrellas from the Music Loft balcony. Council's Building Inspector, Dennis Mondin is investigating quotes for new shade sails.

### **4 BOX OFFICE CLOSURE OVER HOLIDAY PERIOD**

Mr. Pattinson raised concern that the Burdekin Theatre Box Office and the Council Chambers are closed over the Christmas holiday period and that this will affect sales for *Phantom of the Opera*. Councillor McLaughlin advised that this will be further investigated prior to the 2017/2018 closedown period.

### **5 COUNCIL SPONSORSHIP FOR BURDEKIN SINGERS**

Councillor Woods requested that Council waive the \$3 booking fee per ticket for tickets sold to opening night of *Phantom of the Opera*. Councillor McLaughlin did not support the fee being waived and suggested that Burdekin Singers should approach Council for a donation of these fees.

#### **Recommendation**

That Burdekin Singers approach Council for a donation equivalent to the waived \$3 booking fee per ticket for the opening night.

#### **Resolution**

Moved Councillor Woods, seconded Mrs. Defranciscis that the recommendation be adopted.

CARRIED

Cr. McLaughlin left the meeting and Cr. Perry assumed the Chair.

### **6 BURDEKIN THEATRE GIFT VOUCHERS**

Mrs. List advised that in previous years Friends of the Burdekin Theatre were able to purchase Burdekin Theatre 'gift vouchers' to use as raffle prizes. It was thought these vouchers encouraged patrons to return to the theatre for shows they might not have otherwise attended. Mrs. Cranitch advised that Council's Finance Department will need to be consulted to establish if this is viable.

Mr. Glover left the meeting at 5.00pm

Cr. McLaughlin returned to the meeting and resumed the Chair.

### **7 REQUEST FOR NEW SCRIMS**

Councillor Woods requested consideration of purchasing two new scrims; one black and one white.

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Councillor Woods suggested any unspent capital be reallocated to pay for new scrims and noted that installation of new flybars should also be investigated.

**Recommendation**

That Council consider purchasing two new scrims, one black and one white, for the Burdekin Theatre prior to the end of January 2017.

**Resolution**

Moved Councillor Woods, seconded Mr. Pattinson that the recommendation be adopted.

CARRIED

**8 ADVERTISING ON AYR SHOWGROUNDS WALL**

Councillors Woods requested that businesses with advertisements currently on the Ayr Showgrounds wall be contacted so Council can investigate future advertising opportunities. Once current advertisers have been approached and confirmed the wider public should be advised of the advertising opportunities. Mrs. List suggested that if advertising was not taken advantage of, artwork could be given consideration.

**Recommendation**

That the current advertising on the Ayr Showgrounds wall be reviewed and advertising opportunities be publicly promoted.

**Resolution**

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

CARRIED

**9 BURDEKIN SCHOOL SEEKS DONATION**

Council received a letter from Burdekin School regarding the success of its Gala Fundraising Event held to raise money for the purchase of the new Burdekin School bus. In the letter, the school requested Council waive the fees associated with hiring the Burdekin Memorial Hall due to the charitable nature of the event. The Burdekin Cultural Advisory Group gave favourable consideration to provide monetary sponsorship of \$1514 to cover the cost of hire.

**Recommendation**

That a donation of \$1514 be made to the Burdekin School to cover the fees charged for hire of the Burdekin Memorial Hall for the Gala Fundraising Evening on 22 October 2016.

**Resolution**

Moved Mrs. List, seconded Mr. Pattinson that the recommendation be adopted.

CARRIED



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## **10 BURDEKIN THEATRE SIGNAGE**

The Burdekin Cultural Advisory Group was advised that signage on the post at the front of the Burdekin Theatre was outdated. Mr. Vaccaro provided the group with an image of the preferred sign design as per Council's Style Guide as an example of what the new sign for the venue should look like.

### **Recommendation**

That new signage, as per Council's Style Guide, is placed at the front of the Burdekin Theatre.

### **Resolution**

Moved Mr. Pattinson, seconded Mr. Furnell that the recommendation be adopted.

CARRIED

## **11 BURDEKIN SHIRE COUNCIL AND FRIENDS OF THE BURDEKIN THEATRE DRAFT MOU**

Councillor McLaughlin advised that the draft Memorandum of Understanding would be forwarded to Burdekin Memorial Hall Committee and Friends of the Burdekin Theatre for consideration. She advised that further discussions would be held when the Consultant is in attendance in January 2017.

## **12 GENERAL BUSINESS**

### **12.1 Burdekin Theatre Fire Evacuation During REDs Dance Concert**

Mr. Furnell reported that the fire evacuation that occurred prior to the commencement of Rhythm Edge Dance Studio's "Run the World" annual dance concert indicated there was room for improvement regarding fire evacuation procedures including:

- Lighting outside, around the theatre and at the evacuation point needs to be brighter;
- Outside speaker system could be used to advise patrons what is happening (alternatively Theatre may need a portable megaphone);
- Consider seating for elderly patrons whilst in an evacuation; and
- A list of current First Aid Certificate holders needs to be created and accessible in such times.

### **12.2 Burdekin Theatre Bar Discount for Friends of the Burdekin Theatre Christmas Party**

Councillor Woods recommended that Council support Friends of the Burdekin Theatre Christmas party. He said in past years drinks from the Burdekin Theatre Bar for this function was costed to Friends of the Burdekin Theatre at cost price plus 10 per cent.

### **Recommendation**

That Council provide drinks from the Burdekin Theatre Bar to Friends of the Burdekin Theatre at cost price plus 10 per cent for the Friends of the Burdekin Theatre Christmas Party 2016.



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## **Resolution**

Moved Mrs. Defranciscis, seconded Mr. Pattinson that the recommendation be adopted.

CARRIED

### **12.3 Request for new Coordinator to investigate live simulcasts and Barrier Reef Orchestra**

Mr. Gooding suggested the new Cultural Services Coordinator investigate live simulcasts and Barrier Reef Orchestra for the future.

### **12.4 Request for copy of Cultural Services Coordinator Position Description**

Mr. Pattinson requested the Burdekin Cultural Advisory Group be forwarded a copy of the position description for the new Cultural Services Coordinator role.

## **Recommendation**

That Council provide the Burdekin Cultural Advisory Group with a copy of the position description for the Cultural Services Coordinator role.

## **Resolution**

Moved Mr. Pattinson, seconded Mrs. List that the recommendation be adopted.

CARRIED

### **12.5 Inquiry regarding certification of weight loading structures at Burdekin Theatre**

Mr. Pattinson inquired whether Council was going to investigate certifying weight-loading structures within the Burdekin Theatre Auditorium, including catwalks and light bars. Councillor McLaughlin identified this may be something the new Cultural Services Coordinator can attend to once appointed.

### **12.6 Request for Burdekin Theatre to host “Captain Active” school holiday performance**

Councillor Woods suggested that Council host “Captain Active”, a kid’s health-and-fitness-based performance, at the Burdekin Theatre or Burdekin Memorial Hall in January 2017.

## **Recommendation**

That Council host “Captain Active” at the Burdekin Theatre or Burdekin Memorial Hall in January 2017.

## **Resolution**

Moved Mrs. List, seconded Mr. Furnell that the recommendation be adopted.

CARRIED

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There being no further business the meeting closed at 6.50pm

**Next Meeting – Monday, March 27, 2017. At 3.30pm in John Hy Peak Rooms.**

**Councillor Lyn McLaughlin**  
**Chair**

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### **3.3 Burdekin Senior Advisory Committee Meeting - 8 February 2017**

#### **Recommendation**

That the minutes of the Burdekin Senior Advisory Committee Meeting held on 8 February 2017 be received and adopted.



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**Burdekin Shire Council**

**Minutes – Burdekin Senior Advisory Group Meeting held on 8 February 2017**

Held at Burdekin Theatre  
The meeting commenced at 10.15am

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**CLAUSE 1**

**ATTENDANCE**

Mayor Lyn McLaughlin  
Cr. Ted Bawden  
Tony Vaccaro  
Melissah Lammon  
John Rowan  
Joyce Henaway  
June Bosel  
Graham Anderson  
Glenis Cislowski

**APOLOGIES**

Robert Lesca  
Tom Callow

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**CLAUSE 2**

**WELCOME TO NEW MEMBER GLENIS CISLOWSKI**

Cr. Ted Bawden welcomed new member Glenis Cislowski to the meeting. John Rowan suggested that Anita Comas would be another new member we could invite to join the group. The group also suggested Marlene Parison and Dr. Brian Glover. Melissah Lammon undertook to call Anita Comas, Marlene Parison and Dr. Brian Glover and invite them to the next meeting.

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**CLAUSE 3**

**AGE FRIENDLY BUS TRIP**

The group agreed for the bus trip to occur on Wednesday, 8th March 2017, which will be our scheduled meeting date for March. It was agreed to meet at the front of the Council Chambers at 10am and Cr. Ted Bawden will drive the bus. Melissah undertook to book the Council bus for Wednesday, 8<sup>th</sup> March 2017 from 10am – 12pm.

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**CLAUSE 4**

**PIONEERS LUNCHEON AND SENIORS WEEK (19<sup>th</sup> - 27<sup>th</sup> August 2017)**

It was suggested to hold the Pioneers Luncheon during the week of Seniors Week 19<sup>th</sup> – 27<sup>th</sup> August. Cr. Lyn McLaughlin and Cr. Ted Bawden suggested suitable Guest Speakers including Roley Sussex and Coralie O'Rourke (Minister for Ageing). Cr. Lyn McLaughlin suggested to submit a funding application for Seniors Week. Melissah Lammon undertook to liaise with Robert Lesca regarding this. Cr. Lyn McLaughlin also suggested to look at other Council's websites to see what events they hold during Seniors Week.

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## **CLAUSE 5**

### **OTHER GENERAL BUSINESS**

#### **LETTER FROM DEPARTMENT OF TRANSPORT AND MAIN ROADS**

Melissah Lammon read the following paragraph to the group as outlined in the letter received from the Department of Transport and Main Roads:

Queensland has legislation in place for the safety of all road users and to assist the efficient flow of traffic. The Department of Transport and Main Roads has implemented a legislative change to the Queensland Road Rules (QRR) to assist those with a disability and their families, friends or carers by extending the time limit to park in a loading zone.

The QRR provide that a driver may stop for up to two minutes in a loading zone to pick up or set down passengers. The legislative amendment provides that the two-minute time limit is extended to five minutes for a driver who is setting down or picking up a passenger with a disability in a loading zone. It is anticipated that this extension to five minutes will provide a person with a disability, sufficient time to perform actions that relate to being picked up and set down. The two-minute time limit will remain for the setting down and picking up of other passengers who do not have a disability. This legislative amendment commenced on 16 December 2016.

#### **ACTIVITIES FOR SENIORS**

John Rowan raised concerns about the lack of activities for Seniors in the Burdekin. He suggested it would be nice to have activities available for Seniors similar to the children's activities held at the Library. Melissah Lammon undertook to talk to Jaye Christensen at the Burdekin Library regarding the possibility of holding a Seniors Book Club. Another suggestion included a Seniors painting group. Melissah Lammon undertook to talk to Aicey Zaro regarding a Seniors painting group.

#### **2017 CALENDAR OF PROPOSED EVENTS FOR BSAG**

Cr. Lyn McLaughlin suggested to develop a calendar listing the proposed events for the group in 2017. Some of the events include:

- Age Friendly Bus Trip - Wednesday, 8<sup>th</sup> March – 10am to 12pm
- Rates Information Session – Wednesday, 10<sup>th</sup> March – 10am to 12pm
- Pioneers Luncheon – date TBC
- Bus trip to Prawn Farm Opening – date TBC
- NBN Information Follow-up Session – date TBC

#### **PARKING NEAR POST OFFICE IN YOUNG STREET**

John Rowan suggested for there to be a defining line to make the parking space alongside the Post Office in Young Street to be two car parks instead of one. Cr. Ted Bawden undertook to follow this up.

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### **MORNING MELODIES LLOYD WEBBER AND FRIENDS**

Melissah Lammon advised the group that tickets are currently on sale for the upcoming *Morning Melodies – Lloyd Webber and Friends* coming to the Burdekin Theatre on Friday, 24<sup>th</sup> March commencing at 11am. Morning Tea will be served from 10am. Melissah encouraged the group to attend the Morning Melodies and spread the word to their family and friends or anyone who may be interested in attending.

### **RATES INFORMATION SESSION**

It was agreed the Rates Information Session will be held on Wednesday, 10<sup>th</sup> May at the Council Chambers. This session would be a free session for all interested community members to attend. Melissah undertook to liaise with Kim Olsen regarding a suitable flyer to advertise the session.

### **GAPS IN SERVICES FOR ELDERLY AROUND CHRISTMAS TIME**

June Bosel spoke to the group about an elderly friend (86 yrs old) of hers who was unable to call an ambulance for 22hrs after a fall on dark dislocated her shoulder which meant she had difficulty moving and ended up spending the night outside with the mosquitoes. It was late afternoon the next day before she was able to make it inside to ring for help. This highlights the gaps in our services (particularly during the Christmas break). June Bosel suggested for a networking meeting to be held for Seniors and our Aged Care Services in the community.

### **CURFEW LAW FOR CHILDREN**

Graham Anderson advised the group that he does not agree with the 'no curfew law' for children and undertook to write a letter to Dale Last regarding this. Melissah Lammon undertook to type the letter on behalf of the Burdekin Senior Advisory Group.

### **NBN INFORMATION FOLLOW-UP SESSION**

Graham Anderson suggested to hold another NBN Information Follow-up Session closer to the NBN cut-off date so that anyone who is still having issues connecting to NBN could come along and ask questions. It was recommended that this session would be held towards the end of 2017, closer to the cut-off date of February 2018.

**Meeting Notes taken by Melissah Lammon**

**NEXT MEETING – Wednesday, 8 March 2017. Meet at 10am at the front of the Council Chambers for the 'Age Friendly Bus Trip'**



## ACTION ITEMS

Action required	Person/s responsible	Status
Organise Council bus to do 'Age friendly bus trip' on Wednesday, 8 <sup>th</sup> March	Melissah Lammon	
Invite Anita Comas, Marlene Parison and Dr. Brian Glover to be a member of the Burdekin Senior Advisory Group.	Melissah Lammon	
Draft 'Age friendly bus trip' itinerary.	John Rowan, June Bosel, Joyce Henaway	In progress
Draft suitable 'Seniors Community Issues' notice to go in Round-a-bout Magazine in 2017	Robert Lesca Cr. Ted Bawden	
Draft flyer for Free Rates Information Session. Liaise with Kim Olsen regarding content on the flyer.	Melissah Lammon	
Liaise with Robert Lesca regarding Seniors Week funding application and determine suitable date in Seniors Week to hold Pioneer's Luncheon	Melissah Lammon Robert Lesca	
Develop 'Proposed Calendar' for BSAG members	Melissah Lammon	
Draft letter to Dale Last RE: Curfew Law for Children	Graham Anderson/Melissah Lammon	
Liaise with Jaye Christensen and Aicey Zaro regarding activities for Seniors eg. Seniors Book Club and Seniors Painting Group	Melissah Lammon	
Organise NBN Information Follow-up Session towards the end of 2017	Melissah Lammon	

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### **3.4 Burdekin Building Safer Communities Action Team Meeting Minutes - 8 February 2017**

#### **Recommendation**

That the minutes of the Burdekin Building Safer Communities Action Team Meeting held on 8 February, 2017 be received and adopted.

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**Minutes of Meeting**  
**Burdekin Building Safer Communities Action Team (BSCAT)**  
**Meeting held on 8<sup>th</sup> February, 2017**

Held in the John Hy Peake Heritage Rooms  
The meeting commenced at 10.30am

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**CLAUSE 1      ATTENDANCE**

Brad Taylor	Crime Prevention Officer, QPS, Townsville
Cr. Lyn McLaughlin	Mayor, Burdekin Shire Council
Tony Vaccaro	Community Development Manager, BSC
Tammy Quagliata	Community Development Support Officer, BSC
Angie Bramwell	Uniting Care Community
Alison Johnson	Life without Barriers
Andrew Sherrington	Burdekin PCYC
Aly Cleasby	Family & Child Connect
Babette Doherty	Victims Assist Qld
Corey Lane	Qld Police
Chris O'Shea	BNA, Operations Manager
Janet King	NQ Domestic Violence Resource Service
Joel Yip	Qld Police
Peta Anderson	Family and Child Connect
Jackie Kiloh	Burdekin PCYC

**APOLOGIES**

Cr. Tony Goddard	Burdekin Shire Council
Brett Smith	Qld Police, Home Hill
Steve Barton	Qld Police, Ayr
Narelle Hibberd	Community Representative
Cheryl Lawrence	Community Representative

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**CLAUSE 2      CONFIRMATION OF PREVIOUS MINUTES**

Moved Tammy Quagliata, seconded Alison Johnson that the minutes of the BSCAT Meeting held 7<sup>th</sup> December, 2016 be received.

CARRIED

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**CLAUSE 3      BUSINESS ARISING FROM THE MINUTES**

**Letter re School Based Police Officer**

Tammy Quagliata advised that a letter had been sent by Cr. McLaughlin to the Assistant Commissioner, Qld Police Services requesting the appointment of a school based police officer in the Burdekin. A copy of this letter was tabled for information of the group.

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**CLAUSE 4      CORRESPONDENCE**

**Inward & Outward Correspondence**

NIL

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**CLAUSE 5      FINANCIAL REPORT**

It was noted that the current balance for BSCAT & Crime Prevention Conference is \$7642.38.

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**CLAUSE 6      POLICE REPORT**

\*\* There was no police officers in attendance who were able to give an updated police report.

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**CLAUSE 7      REQUEST FOR ASSISTANCE TO FUND 'LOVE BITES' TRAINING**

Jackie Kiloh provided information on the Love Bites Program, a Respectful Relationships Program designed for ages 11 to 15 years. The program also touches on relationship violence. As per discussions last meeting, PCYC was requesting assistance from the Burdekin BSCAT to train Love Bites trainers within the Burdekin. A quote to undertake this training was noted at \$5600 (for up to 20 people).

Discussions were held regarding the possibilities of this training, as well as the commitment from schools regarding the program. Following these discussions, it was agreed that:

- Jackie Kiloh contact schools with regard to their commitment to running the program during their school curriculum.
  - Peta Andersen to look into the possibility of Townsville trainers being available to train others in the Burdekin.
  - PCYC contact Rotary, Lions & Zonta groups regarding financial support for the program
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**CLAUSE 9      OTHER GENERAL BUSINESS/SERVICE UPDATES****ICE Signs in Hughenden**

Mayor Cr. McLaughlin & Tony Vaccaro advised of the current billboards located in Hughenden drawing attention that 'ICE' was not welcome in their town. Discussions were held in regard to the effect of having this signage. Tammy Quagliata to contact Hughenden Council to seek community feedback/reaction in relation to the signs.

In addition to this, drug issues/concerns within the Burdekin were discussed. It was suggested that perhaps Council should facilitate a gathering of all service providers to discuss this issue further. Tammy Quagliata undertook to obtain this listing from the Burdekin Neighbourhood Centre/Burdekin Community Association.

**Service Updates**

• Alison Johnson from Life Without Barriers advised that the next Domestic Violence Meeting would be held on 14<sup>th</sup> February, 2017. It was further noted that Children's counselling is now available through Life Without Barriers.

• Angie Bramwell from Uniting Care gave a brief update on her role and noted that she was currently seeking funding for 12 month gym memberships for some of her youth clients. It was noted that an annual membership can be purchased

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for \$429, and this had proved to keep students accountable as well as keep them out of trouble.

- Corey Lane, Qld Police, noted that there had been no recent significant increase in break & enters, however he recommended that all residents and business houses should invest in security cameras that record to i-cloud. He advised that clear footage from such cameras can be of great assistance in catching offenders.

- Peta Andersen, Family & Child Connect, advised that she was hosting a Community Network Forum at the Burdekin Theatre on Thursday 23<sup>rd</sup> February at 10am. She invited all services and agencies in the Burdekin area or who regularly travel to the area to come along and give a brief service overview (no longer than 3 minutes per agency). Peta noted it was a great start to the New Year to gain understanding of who is working in the area and how they can help support vulnerable families and how we can work to support each other.

**Media Release re 10 years of Burdekin BSCAT**

Following discussions last meeting, it was noted that this is the 11<sup>th</sup> year that BSCAT has been running. BSCAT first met in 2006 and are one of the only BSCAT's still in operation. It was agreed that a media release/promotion regarding the groups' success over the past 10 years be developed and circulated.

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There being no further business, the meeting closed at 11.30am

**NEXT MEETING – 5<sup>th</sup> April, 2017 at 10.30am**

**CURRENT ACTION ITEMS**

Action	Person(s) responsible	Status
Obtain list of service providers/agencies available in the Burdekin	Tammy Quagliata	

Meeting Minutes taken by Tammy Quagliata.

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### **3.5 Local Disaster Management Group Meeting Minutes - 17 February 2017**

#### **Recommendation**

That the minutes of the Local Disaster Management Group Meeting held on 17 February 2017 be received as a true and correct record.



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**BURDEKIN SHIRE COUNCIL**

**MINUTES – BURDEKIN SHIRE COUNCIL LOCAL DISASTER MANAGEMENT GROUP MEETING**  
**HELD ON FRIDAY 17 FEBRUARY 2017 AT 12.05PM**

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**CLAUSE 1     ATTENDANCE**

Core Members

Councillor Lyn McLaughlin – Chair - Burdekin Shire Council  
Councillor Tony Goddard – Deputy Chair - Burdekin Shire Council  
Ms. Eileen Robinson - Local Disaster Co-ordinator – Burdekin Shire Council  
Mrs. Libby Preedy – Emergency Management Co-ordinator - Queensland Fire and Emergency Services  
Mr. Ken Johnson – Inspector – Queensland Fire and Emergency Services  
Mr. Robert Sutcliffe – Local Controller - Burdekin State Emergency Service  
Mr. Wayne Saldumbide – Manager Operations - Burdekin Shire Council  
Mr. Kevin Byers – Manager Technical Services - Burdekin Shire Council  
Ms. Linda Govan – Co-ordinator Environment and Health – Burdekin Shire Council  
Ms. Debra Cochran – Welfare - Chief Executive Officer - Burdekin Community Association

Specialist Advisors

Councillor Ted Bawden – Burdekin Shire Council  
Councillor John Woods – Burdekin Shire Council  
Mrs. Janai Giddy – Technical Services Administration - Burdekin Shire Council  
Mr. Bradley Hutchinson – Safety and Productivity Coordinator – Burdekin Shire Council  
Mrs. Rebecca Grogan – Burdekin Community Association  
Mr. David White - Telstra  
Ms. Sharon Galeano - Department of Community, Child Safety and Disability Services  
Mr. Mark Biffanti – Ergon Energy  
Mr. Travis Richards – Sunwater  
Mr. Mark Hobbs – Sunwater  
Sergeant Brett Smith - Queensland Police Service - Home Hill  
Sergeant Andrew Plumb – Queensland Police Service – Ayr  
Senior Constable Ryan McGrath – Queensland Police Service - Giru  
Mr. Michael Richards – Wilmar Sugar  
Mr. David Jackson – Home Hill Chamber of Commerce  
Mr. John Wynn – Deputy Local Controller - Burdekin State Emergency Service  
Mr. Bruce Smith – St. John Ambulance  
Mr. Daryl Hanger – Australian Red Cross

Minutes Clerk – Mrs. Anne-Maree Dale

Apologies for Absences

Senior Sergeant Steve Barton – Officer in Charge - Queensland Police Service - Ayr  
Mr. Terry Brennan – Chief Executive Officer – Burdekin Shire Council  
Mr. Andrew Thomas – Department of Transport and Main Roads  
Ms. Deana Murray – Lower Burdekin Home for the Aged  
Mr. Steve Postma – Wilmar Sugar  
Ms. Mary Vicary – Ayr Health Service  
Mr. Gordon Yorke – Rural Fire Services Queensland  
Mr. Michael Thomson – Rural Fire Service Queensland  
Mr. Steve Barber – Assistant Commissioner - Queensland Fire and Emergency Services  
Mr. Steve Brennan – Queensland Fire and Emergency Services – Home Hill  
Mr. Bryan Dudley – Ayr State School  
Mr. Dale Last – Burdekin Electorate Office  
Mrs. Merle Scott – Sweet FM  
Mr. Daryl Hanger – Australian Red Cross  
Mr. James Mummery - Sunwater  
Mr. David Rutter – Acting Inspector - Queensland Fire and Emergency Services  
Mr. Michael O'Neil – Regional Operations Northern - Queensland Fire and Emergency Services  
Mr. Tony Hazell – Regional Manager – Queensland Fire and Emergency Services / Rural Fire Service Queensland

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**CLAUSE 2 MINUTES OF THE BURDEKIN SHIRE COUNCIL LOCAL DISASTER MANAGEMENT GROUP MEETING HELD ON 9 DECEMBER 2016.**

Moved Ms. Cochran, seconded Mr. Saldumbide that the minutes of the Burdekin Shire Council Local Disaster Management Group Meeting held on 9 December 2016 be received as a true and correct record.

CARRIED

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**CLAUSE 3 BUSINESS ARISING OUT OF THE MINUTES**

Nil

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**CLAUSE 4 CORRESPONDENCE FOR INFORMATION**

Nil

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**CLAUSE 5 AGENCY REPORTS**

**Mr. Robert Sutcliffe – Local Controller - Burdekin State Emergency Service**

1. Mr. Sutcliffe advised that the equipment was ready and fuel would be distributed should there be an event on the horizon.
2. Mr. Sutcliffe advised that there were four new members recruited for the month and Mr. Allan Parravicini had retired from his position with Burdekin State Emergency Services.
3. There had been one call for assistance this month due to heavy rain for a leak in a resident's roof. A tarp was fitted to the roof temporarily.

**Ms. Debra Cochran – Welfare-Chief Executive Officer - Burdekin Community Association**

1. Nil

**Ms. Sharon Galeano - Department of Community, Child Safety and Disability Services**

1. Ms. Galeano advised that she had received an email confirming that the 'Money Ready Toolkits' would be delivered this month. This is an information kit that assists residents with disaster proofing their finances.
2. Ms. Galeano requested that Council upload a link to the Council Website relating to this toolkit.

**Mr. Michael Richards – Wilmar Sugar**

1. Nil

**Mr. Mark Biffanti – Ergon Energy**

1. Mr. Biffanti advised that Ergon was ready for the season and Ergon was currently monitoring the weather system up north and has plans in place to deploy staff should the event come to fruition.
2. There was a major power outage out West recently where the generator was utilised, however, struggled under power. Mr Biffanti stressed the importance of testing generators under load to ensure that the generator would operate should an event occur.

**Mr. Bruce Smith – St. John Ambulance**

1. Nil

**Mr. David White - Telstra**

1. Mr. White advised that Telstra is preparing as usual and is all ready to operate should there be an event.

**Sergeant Brett Smith - Queensland Police Service - Home Hill**

1. Sergeant Smith advised that the Home Hill Station is continuing to work on the business continuity plan with increased focus on this during the cyclone season. All going well and ready to go.

**Senior Constable Ryan McGrath – Queensland Police Service - Giru**

1. Senior Constable McGrath advised that he had discussions with State Emergency Services – Giru and the Contact list has been updated should there be an event.

**Sergeant Andrew Plumb – Queensland Police Service – Ayr**

1. Sergeant Plumb advised that Ayr Police Station is in a ready state.

**Mr. Ken Johnson – Inspector – Queensland Fire and Emergency Service**

1. Mr. Johnson advised that there was a cyclone developing in the Gulf and staff were being deployed north for the rain event, rather than the cyclone.
2. There have been some significant lightning strikes during storms recently in Townsville. Mr. Johnson advised that one strike hit the Mater Hospital and took out alarms and services which became a major issue. Mr. Johnson reminded the group to be vigilant during lightning storms.



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**Mr. Mark Hobbs – Sunwater**

1. Mr. Hobbs advised that in regards to the Burdekin Falls Dam, flood preparation was completed for this site on 8 November 2016, which included the backup systems - generator, two-way and phone testing, fuel supplies etc. Verification of the EAP Contacts has been completed.
2. Mr. Hobbs advised that since completing the flood preparation checklist, there has been an overflow of the dam. The predicted early warning text was sent on 6 January 2017 advising that there was a predicted warning advising of potential overflow in the next couple of weeks. 17 January 2017, another text message was sent out advising of predicted overflow in the next 24 hours. 18 January 2017, the Sunwater EAP was activated advising of a predicted overtopping and the roads below the dam were closed. 19 January 2017, the dam overtopped. 25 January 2017 the overflow reached a maximum overflow of 39 centimetres over crest. Although the overflow has ceased, the EAP is still activated due to the cyclonic weather currently forming up north.
3. Since closing the road to the dam, there has been vandalism evident in non-public access areas such as water towers etc. Other reports include people trespassing through the no access areas and going fishing in the dam.

**Mr. Travis Richards – Sunwater**

1. Mr. Richards advised that there was an office control centre based in Brisbane dedicated to managing the Burdekin dams and flood events. He advised that there were new flood models developed and would be shared with the Bureau of Meteorology very shortly.
2. Mr. Richards advised that Sunwater will be contacting local Councils in the near future to discuss flood mapping in the catchment and discuss the opportunities to improve and develop further contact with people and organisations downstream.
3. There has been a new aerial installed in Townsville to increase the accuracy of the data gathered downstream of the dam that feeds back to Townsville office and sent through to the Brisbane Control Centre.
4. Sunwater will be facilitating an Outdoor Community Information Campaign to educate the Community on the EAP process, warnings/alerts circulated and the meaning of these, along with preparing the community with other information to minimise panic prior to an event. There are different forms of media that will be utilised throughout this campaign including social media.
5. Mr. Richards confirmed that Donna (from Sunwater) will be in contact with Council in early-late March to arrange a meeting for further discussions on mapping and training etc.

**Mr. Wayne Saldumbide – Manager Operations - Burdekin Shire Council**

3. Mr. Saldumbide agreed with Mr. Biffanti and reiterated the importance of testing generators under load to ensure that the generator would operate should an event occur.

**Mrs. Libby Preedy – Emergency Management Co-ordinator - Queensland Fire and Emergency Service**

1. Please refer to attached report.
2. Mrs. Preedy requested the group provide ideas for a disaster management exercise to be conducted prior to the end of June 2017. Mrs. Preedy recommended another member of the group facilitate the exercise and Mrs. Preedy will evaluate the exercise, to comply with IGEM requirements.

**Ms. Eileen Robinson - Local Disaster Co-ordinator – Burdekin Shire Council**

1. Ms. Eileen Robinson advised that she was still working towards implementing the Regional Area Warden Program and Coastal Community Awareness Program. Funding from the RACQ Get Ready grant will be used to help implement these programs as part of the Burdekin's increased resilience program. These programs will be implemented prior to 30 June 2017.
2. Ms. Eileen Robinson advised that the Council had been successful in receiving funding through the Foundation for Rural & Regional Renewal Program. Council submitted an application for a concrete floor scrubber to help in the maintenance of the Multi Purpose Building and SES Head Quarters and received the amount of \$5000 from the Domino's Give for Good Program which was part of the original FRRR Program.

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**CLAUSE 6 GENERAL BUSINESS**

1. Mrs. Preedy advised that the recently developed Fire Management Group will be holding its first meeting on 15 March 2017.
2. Mr. Johnson reported the opening of the new Rural Fire Brigade, Giru will be held on 18 March 2017.

There being no further business the meeting closed at 12.45pm.

The next meeting will be held on 17 March 2017.

**CHAIRMAN**





**Queensland Fire & Emergency Services**  
**Agency Report to the Burdekin Local Disaster Management Group**  
*This report covers the period 10 Dec 2016 – 17 Feb 2017*

<b>Emergency Management Meetings/Activities attended:</b>	
<ul style="list-style-type: none"><li>NTR</li></ul>	
<b>Topics of Interest:</b>	
<ul style="list-style-type: none"><li>Disaster Management Guidelines (due for review). Addendums to the Guidelines are currently being developed to provide a short term update to the Guidelines, with a full review of the Guidelines to follow.</li><li>QFES expanding &amp; developing EM capacity across dept by: embedding EM in the Firefighter Recruitment &amp; Officer Development Programs &amp; identification &amp; training of an EM Support Cohort.</li><li>Updated DM Training Needs Analysis (TNA) for Burdekin LDMG attached</li></ul>	
<b>Training and Exercises</b>	
<b>Training conducted:</b>	<ul style="list-style-type: none"><li>3 Day DM Training workshop (multiple modules) in Townsville 1-3 Feb 2017</li><li>DRRFA Mods 1 &amp; 2 plus REPA workshop (by QRA) in Townsville 10 Feb 2017</li></ul>
<b>Scheduled training:</b>	<ul style="list-style-type: none"><li>TBA (refer updated TNA, attached)</li></ul>
<b>Exercises conducted:</b>	<ul style="list-style-type: none"><li>NTR</li></ul>
<b>Scheduled exercises:</b>	<ul style="list-style-type: none"><li>EMC to initiate discussions with LDMG re: topic/s for proposed exercise (to meet regulatory requirements)</li></ul>
<b>Community Awareness and Education</b>	
<b>Public awareness activities conducted:</b>	<ul style="list-style-type: none"><li>NTR</li></ul>
<b>Proposed public awareness activities:</b>	<ul style="list-style-type: none"><li>NTR</li></ul>
<b>Operations</b>	
<b>Conducted:</b>	<ul style="list-style-type: none"><li>Nil</li></ul>
<b>Current Impediments</b>	<ul style="list-style-type: none"><li>Nil</li></ul>
<b>SES Update:</b>	<ul style="list-style-type: none"><li>Business as usual</li></ul>
<b>RFSQ Update:</b>	<ul style="list-style-type: none"><li>Begun facilitation of a Fire Management Group (FMG) for the Burdekin Shire area. Group in development stage. First meeting – 15<sup>th</sup> March 2017</li></ul>
<b>Fire &amp; Rescue Update:</b>	<ul style="list-style-type: none"><li>Business as usual</li></ul>
Report coordinated by:	
Name:	Libby Preedy
Position:	QFES Emergency Management Coordinator, Townsville
Date:	13 February 2017

BURDEKIN LDMG

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Key:

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### **3.6 Burdekin Shire Youth Council Meeting Minutes - 27 February 2017**

#### **Recommendation**

That the minutes of the Burdekin Shire Youth Council Meeting held on 27 February 2017 be received.



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## **Burdekin Shire Council**

### **Minutes – Burdekin Shire Youth Council Meeting held on 27<sup>th</sup> February, 2017**

Held at Burdekin Shire Council Chambers  
The meeting commenced at 3.30pm

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#### **CLAUSE 1      ATTENDANCE**

Tayla McKaig – Youth Mayor  
Flynn McKaig – Deputy Youth Mayor  
Alexa Mann – Burdekin Catholic High School  
Chelsea Scalia – East Ayr State School  
Sean Cowper – Ayr State School  
Brigitte Davies – St Francis Primary School  
Caitlin McDonnell – East Ayr State School  
Jack Shears – East Ayr State School  
Eddie Jones – Ayr State School  
Emily Holmes – Burdekin Christian College  
Jessica Cox – Burdekin Catholic High School  
Sarah McDonnell – Ayr State High School  
Joshua Kim – Ayr State School

Tammy Quagliata - Burdekin Shire Council

#### **Apologies for Absence**

Cr. Lyn McLaughlin – Burdekin Shire Council  
Danae Pilla – Secretary  
Alyssia Guy – Burdekin Catholic High School  
Taia Favale – Burdekin Catholic High School

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#### **CLAUSE 2      INTRODUCTION AND WELCOME**

Tammy Quagliata welcomed new and existing members to the first meeting of the 2017 Burdekin Shire Youth Council. Members were provided a copy of the Youth Council Members Handbook and went through the Mission Statement, Aims and General Role of the Burdekin Shire Youth Council.

CARRIED

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#### **CLAUSE 3      MINUTES RECEIVED**

Moved Sarah McDonnell, seconded Jessica Cox that the Minutes of the Burdekin Shire Youth Council Meeting held on 28<sup>th</sup> November, 2016 be received.

CARRIED

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## CLAUSE 4      CORRESPONDENCE

### Inward Correspondence

1. **Mayor, Cr. Lyn McLaughlin** – Forwarding a letter of congratulations to the 2016 Burdekin Shire Youth Council Members. This letter was distributed to all members.
2. **Daniel Morcombe Foundation** – Thanking Youth Council for their ongoing support following a \$125 donation collected from community donation boxes (established by Youth Council).
3. **PCYC National Youth Week Funding** – Advising that the Burdekin Shire Youth Council were successful in obtaining funding to assist in hosting the Fast Track Talent Showcase as part of National Youth Week.
4. **Qld Youth Alliance** – Providing information on the Queensland Volunteering Awards which are now open. Nominations close on 31 March, 2017.

### Outward Correspondence

1. **Burdekin School Captains** – Inviting them to be a part of the 2017 Burdekin Shire Youth Council.

Moved Jessica Cox, seconded Flynn McKaig that the inward correspondence be received and the outward adopted.

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## CLAUSE 5      BURDEKIN FAST TRACK TALENT SHOWCASE – APRIL 1 & 2

Tammy Quagliata gave an update on the Burdekin Fast Track Talent Showcase being held at the Burdekin Theatre on April 1 & 2. Members were advised that the event would now run over 2 days, to ensure that X Factor Winner, Isaiah Firebrace could attend and perform at the Finals Showcase on Sunday 2<sup>nd</sup> April.

Posters and flyers were distributed to all members to be displayed at schools and workplaces. Members were encouraged to spread the word about the event and let family and friends know that registrations are now open and tickets are on sale.

Members would be required to help out during the event by taking registrations and possibly selling chips/chocolates. A roster will be put together.

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## CLAUSE 6      2017 PROJECT LIST

Members were asked to start thinking about what events and projects they would like to be a part of in 2017. A 2017 Project List will be developed at the next 2 meetings which will give Youth Council some direction for the year.

Discussions were held with regard to some ideas and plans for members to consider for the Project List.

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**CLAUSE 7      VOTING OF 2017 YOUTH COUNCIL EXECUTIVE AT NEXT MEETING**

Tammy Quagliata provided information on the Youth Council Executive positions being Youth Mayor, Deputy Youth Mayor and Secretary. Members were asked to give some consideration as to whether they would like to run for these positions in 2017. Voting on the 2017 Youth Council Executive will be conducted at the next meeting.

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**NEXT MEETING – 20<sup>th</sup> March, 2017 @ 3.30pm**

There being no further business, the meeting closed at 4.30pm.

Tayla McKaig  
YOUTH MAYOR

*Meeting Minutes taken by Tammy Quagliata*

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## 4 REPORTS

### 4.1 Council Workshops - February 2017

#### Document Information

Referring Letter No:	N/A
File No:	1394
Name of Applicant:	N/A
Location:	N/A
Author and Title:	Terry Brennan, CEO

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#### Executive Summary

During the past month workshops were conducted by Council on 7 and 21 February to discuss various policy and operational issues. A number of other workshops were also held during the month associated with the preparation of the 2017/18 Budget.

A brief summary of the issues discussed at the workshops on 7 and 21 February is outlined in this report.

#### Recommendation

That the report on Council workshops held during the month of February 2017 be received and noted.

#### Background Information

As a result of a review of existing governance arrangements in late 2016 the Council agreed to move to a fortnightly meeting cycle commencing in February 2017. In conjunction with this change it was also agreed to conduct workshops with councillors on the alternate Tuesdays to the fortnightly Council meetings.

During the month of February workshops were held on 7 and 21 February dealing with various policy and operational issues. A number of other workshops were also held associated with the preparation of the Budget for the 2017/18 financial year.

A brief summary of the issues discussed at the policy/operational workshops is as follows:

#### **7 February 2017**

- Works for Queensland –draft projects
- Queensland Treasury Corporation (QTC) – presentation on the Project Decision Framework (PDF) for capital projects

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**21 February 2017**

- Presentation by Economic Development Qld (EDQ) – Aging in Place Project - proposed project
- Adoption of Policy Framework & review of existing policies
- Review of Vehicle policy
- Adoption of Gifts, Benefits and Prizes policy
- Draft Code of Operations for Council Cemeteries
- Update on Qld Water Regional Alliance (QWRAP)
- Commercial in Confidence project – Sewerage Treatment
- Mount Inkerman Upgrade project – proposed works packages & timing

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

5.3.1 Demonstrate open and transparent leadership

### **Consultation**

Consultation undertaken with various parties both internal and external associated with the workshop topics.

### **Legal Authority or Implications**

N/A

### **Policy Implications**

Any policy proposals are subsequently referred to a Council meeting for consideration and adoption.

### **Financial and Resource Implications**

As discussed in the workshop presentations.

### **Report prepared by:**

Terry Brennan, CEO

### **Report authorised by:**

Terry Brennan, CEO

### **Attachments**

Nil

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## **5 GOVERNANCE & LOCAL LAWS**

### **5.1 Review of Council Vehicle Policy**

#### **Document Information**

**Referring Letter No:** N/A

**File No:**

**Name of Applicant:** N/A

**Location:** N/A

**Author and Title:** Terry Brennan, CEO

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#### **Executive Summary**

The Council's current Vehicle policy was last reviewed in April 2013 and is overdue for review. The policy outlines the conditions for the provision, maintenance and use of all vehicles, including private use vehicles under salary sacrifice arrangements.

The proposed amendments endeavour to address criticism of the existing policy by some sections of the community relating to the value of some vehicles purchased and by officers in relation to the prescriptive nature of some provisions.

#### **Recommendation**

That Council adopt the amended Vehicle policy as attached to the CEO's report.

#### **Background Information**

The Council's existing vehicle policy was last reviewed in April 2013 and is now overdue for review. The policy outlines the conditions for the provision, maintenance and use of Council vehicles and applies to all vehicles including those available to the CEO and Managers as part of their remuneration packages via salary sacrifice arrangements.

It is understood the existing policy has been the subject of criticism by some sections of the community due to concerns about the value of some of the vehicles that have been purchased. Issues have also been raised by officers in relation to the prescriptive nature of some provisions.

The proposed amendments to the policy endeavour to address this by increasing the existing contribution levels by employees and introducing an additional contribution level for private use vehicles based on the purchase price of the vehicle (including GST). The basic philosophy is that the more expensive the vehicle is to purchase the higher the contribution level required to be paid for a private use vehicle.



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As per the existing policy, the contribution payable by the officer is paid via a salary sacrifice arrangement whereby their remuneration is reduced by the level of the required contribution for the vehicle. Others amendments to the policy seek to address some of the prescriptive provisions contained in the existing policy.

It is also proposed to amend the vehicle changeover provision contained in the policy from 3 years or 70,000 kms to 3 years or 80,000 kms. All vehicles, including the private use vehicles, are pool vehicles and available for business use during office hours.

The proposed changes to the policy were discussed at a Workshop with Council on 21 February 2017.

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

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

### **Consultation**

Internal consultation has been undertaken with relevant staff and the proposed amendments to the policy were workshopped with the councillors.

### **Legal Authority or Implications**

Compliance with relevant tax laws relating to FBT and salary sacrifice arrangements.

### **Policy Implications**

As outlined in the policy.

### **Financial and Resource Implications**

As outlined in the policy. The replacement of vehicles will occur in accordance with the provisions of the policy.

### **Report prepared by:**

Terry Brennan, CEO

### **Report authorised by:**

Terry Brennan, CEO

### **Attachments**

1. Proposed updated Vehicle policy.



Burdekin Shire Council

## Vehicle Policy

**Commencement Date:** 14 March 2017

**Function:** Personnel

### RESPONSIBILITIES

Policy Owner	Chief Executive Officer
Policy Contact	Chief Executive Officer
Approval Authority	Council
Next Review Date	1 July 2018

### REVISION HISTORY

Rev	Status	Date	Approver/Meeting	Resolution / Document No.
0	Adopted	08/05/2007	Council Ordinary Meeting	
1	Adopted	09/04/2013	Council Ordinary Meeting	1243406
2	Amended	23/04/2013	Council Ordinary Meeting	1247590
2.1	Revised Draft	01/05/2016	N/A	N/A
2.2	Revised Draft	18/11/2016	N/A	N/A
2.3	Revised Draft	24/02/2017	N/A	N/A

## 1 PURPOSE

Due to the diverse nature of Council's operations, and to meet standards of safety and effectiveness, Council provides and maintains a fleet of vehicles appropriate to the work activities undertaken by our employees.

This policy outlines the conditions for provision, maintenance, and use of Council vehicles.

## 2 SCOPE

This policy applies to all motor vehicles under Council's control.

All associated documents, which detail responsibility for the use, care and maintenance of vehicles, should be read in conjunction with this policy.

## 3 EXCEPTIONS

Nil

## 4 PRINCIPLES

- 4.1. It is recognised that Council's workplace is the Burdekin Shire and that a cost-effective mode of transport is an essential tool for carrying out Council functions. From time to time it will be necessary to conduct Council related business outside the Shire.
- 4.2. Council will provide vehicles that are suitable for the task as one mode of transport.

- 4.3. Council will purchase or lease vehicles that will provide the optimum financial outcome for Council over the life of the vehicle.
- 4.4. The optimum need for business related uses during normal business hours, together with sound fleet management practices, will be the basis for determining numbers and types of vehicle allocated to each department.
- 4.5. Council retains the right to have the first call on the use of all Council vehicles in Category 1 and 2 for Council purposes and for Category 3 vehicles only during normal hours of work.
- 4.6. Under the *Work Health and Safety Act*, all Council vehicles are deemed to be a workplace for the purpose of business/commuter use.

## 5 DEFINITIONS

**'casual commuter use'** is business related commuter use of an allocated vehicle on a short term, irregular and ad hoc basis. Typically this would involve business related commuter use being necessary for only one or two nights and must be approved by the relevant Manager.

**'minor, infrequent and irregular private use'** means private use in addition to commuter use or travel that is incidental to travel in the course of an officer's duties of employment. Minor, infrequent and irregular private use attracts Fringe Benefits Tax.

**'responsible officer'** means a Council employee designated by the relevant Manager.

**'temporary commuter use'** is business related commuter use of an allocated vehicle for other than permanent or casual use. Typically this will involve the authorisation of commuter use for the duration of a "special" project or to undertake a "special" inspection activity. Temporary business related commuter use must meet the criteria for business related commuter use and the approving officer must specifically assess the cost of alternatives including the option of work redesign.

## 6 POLICY STATEMENT

Contravention of this policy may attract disciplinary action.

### 6.1 Vehicle Classes

The class of vehicle shall be chosen to meet operational needs as determined by the Chief Executive Officer or his/her delegate. The choices of vehicle shall include:

- Utility
- 2WD or 4WD twin-cab utility
- SUV(excluding 8 cylinder vehicles)
- standard sedan (excluding 8 cylinder vehicles)

Diesel vehicles are preferred.

Vehicles provided for Commuter Use (Category 2) will generally be vehicles, such as utilities, that do not attract Fringe Benefits Tax.

### 6.2 Identification

All Category 1 and 2 vehicles (see Section 6.6) shall be clearly identified with the Council logo and plant number permanently affixed to both front quarter panels of the vehicle, unless the Chief Executive Officer approves another arrangement to meet Council business needs, e.g. vehicles on surveillance or similar duties.

### 6.3 Optional Extras

All vehicles will be fitted with the following as standard equipment:

- Air conditioning



- Seat covers or upholstery protection
- Cruise control for automatic transmission vehicles
- Power Steering

Any officer requiring optional extras in addition to those listed above must have his/her request approved in writing by the relevant Manager together with an approved method of meeting any additional costs involved.

#### **6.4 Vehicle Replacement**

The replacement period for the various types of Council vehicles is based on lifecycle costing principles and will be reviewed annually to ensure achievement of Principle 4.3 of this policy.

At vehicle replacement time, supervisors are to review the ongoing requirements for the vehicle in conjunction with the workshop supervisor.

#### **6.5 Operating Costs**

Council will meet all servicing, maintenance, registration, operating and Fringe Benefit Tax costs (if applicable).

#### **6.6 Vehicle Use Categories**

##### **6.6.1 Category 1 - Business Use**

Business Use is the use of a vehicle at any time to meet business needs and to provide optimum customer service. Unless otherwise authorised in accordance with this policy, all Category 1 vehicles will be marked with the Council logo and plant number and, outside of normal business hours, will be garaged at a Council facility.

There shall be no minor, infrequent or irregular private use of these vehicles.

##### **6.6.2 Category 2 - Commuter Use**

Commuter Use is the provision of a marked vehicle for commuting directly, by the shortest possible route as approved by the relevant Manager, between the employee's residence and designated normal place of work or the employee's residence and a location other than the designated normal place of work where the employee may be required to start and/or finish work to meet business needs.

Employees who reside outside of the Burdekin Shire are ineligible for Commuter Use.

During normal business hours, these vehicles will be made available to meet business needs. There shall be no minor, infrequent or irregular private use of these vehicles.

Commuter Use may include casual or temporary commuter use.

### 6.6.3 Category 3 - Full Private Use

The Officer shall receive full private use of a Council sedan or SUV vehicle or a vehicle deemed to be a tool of trade as agreed between the parties, with automatic transmission, air-conditioning, cruise control, power steering, seat covers and extra tinting, as follows:

The Officer shall have full unrestricted private use of the vehicle, including weekends, public holidays and periods of paid leave up to a maximum of 6 weeks or unpaid leave up to a maximum of 3 weeks.

The Officer may, with the approval of the Chief Executive Officer, add additional options. The Officer shall be responsible for the initial cost of the option (net life cycle cost), with Council responsible for including the option at vehicle change over time.

Council will meet all servicing, maintenance, registration, operating and fringe benefits tax costs.

Fuel will be supplied for travel within Queensland while the officer is on annual or long service leave for a period of up to and including 6 weeks. For any travel outside of Queensland the officer will be responsible for meeting the fuel costs.

The Council will meet the cost of comprehensively insuring the vehicle and membership of the RACQ. In the event of an accident or breakdown, the officer is to utilise the services of the RACQ as appropriate. A replacement vehicle shall be provided.

The vehicle is to be on duty when the officer is on duty and available for use by Council Officers or Councillors during office hours.

The changeover period for the vehicle shall be based on lifecycle costing principles and will reviewed annually or as required by the Manager of Technical Services to ensure that the vehicle will provide the optimal financial outcome for Council for the life of the vehicle. Currently changeover is based on three years or 80,000 kilometres, whichever occurs first.

For full private use (Category 3), the vehicle may be driven by the officer's spouse or partner.

The vehicle is to be stored, maintained (appearance wise), the reporting of mechanical defects and damage shall be dealt with in accordance with Council's plant operating procedure.

The annual salary sacrifice amount for the chosen vehicle is excluded from the income of the employee (refer Section 23L of the Income Tax Assessment Act) and the benefit received is not subject to income tax in the hands of the employee.

If an Officer chooses not to take a Council provided vehicle during periods of annual leave in each case individual consideration shall be given to whether or not the amount, representing the annual vehicle component, shall be



apportioned on a pro-rata basis subject to the vehicle being surrendered for exclusive Council use for the period of leave.

Full Private Use is as detailed in each employment contract for eligible officers.

Officers who reside outside of the Burdekin Shire are ineligible for Full Private Use.

The cost to eligible officers of a Full Private Use vehicle will be as follows:

Vehicle Class	Annual Salary Sacrifice Amount
Vehicles (excluding 8 cylinder vehicles) with a GST-inclusive value not to exceed 60% of the luxury car tax threshold	\$12,000
Vehicles (excluding 8 cylinder vehicles) with a GST-inclusive value not to exceed 80% of the luxury car tax threshold	\$15,000
Vehicles (excluding 8 cylinder vehicles) with a GST-inclusive value of up to 100% of the luxury car tax threshold	\$18,000
Special purpose vehicles that fall outside these guidelines will require Council's approval.	

## 6.7 General Conditions of Use

### 6.7.1. Responsible Officers are to ensure:

- Vehicles are to be parked off street within the confines of a residential property to minimise impacts on residential amenity, unless the CEO approves alternative parking arrangements. Vehicles must not be parked across footpaths (Categories 2 & 3).
- Vehicles must be securely locked when unattended.
- Tools and equipment must be locked in the vehicle or kept within secure locked boxes on the vehicle (Categories 1, 2 & 3).
- Approvals may be reviewed if complaints are received from the public (Categories 1, 2 & 3).
- Supervisors are to check regularly that these conditions are being observed, and the relevant Manager is to be advised of any breach (Categories 1, 2 & 3).
- Category 1 vehicles shall be stored within the Jones Street Depot or other Council property as approved by the relevant Manager.
- Vehicles are to be maintained in a clean and tidy manner and each driver is responsible for ensuring vehicles are returned free from rubbish.
- Vehicles are returned with sufficient fuel to enable business use by other officers to occur.

### 6.7.2. Smoking is prohibited in all Council vehicles at all times.



**6.7.3.** Vehicles shall not be driven in areas where damage may be incurred due to unfavourable ground conditions. Drivers shall exercise particular care and judgement at all times when driving vehicles.

**6.7.4.** All Council vehicles are under the direct control of the Council and are to be utilised as pool vehicles during normal office hours. Category 1 and Category 2 vehicles may also be used after normal hours by arrangement

**6.7.5.** The Council vehicle assigned to a Responsible Officer may not be used:

- a) for transportation of persons or goods for hire or reward;
- b) for any unlawful purpose;
- c) whilst it is in an unsafe or defective condition; or
- d) for any purpose in the pursuit of a private commercial nature, i.e. a personal business venture.

In addition, a Council vehicle must not be used to compete in any race, speed test, car rally or competition whatsoever, nor shall the vehicle be used in any manner that may contravene the vehicle manufacturer's warranty.

**6.7.6.** A Responsible Officer must hold a current licence appropriate for the vehicle being operated and shall notify the Chief Executive Officer if a situation arises that will prevent the Responsible Officer being able to meet this requirement. No person is permitted to drive a Council vehicle unless they hold a relevant current Driver's Licence, except where authorised tuition to upgrade a licence is being undertaken.

## **6.8. Conditions – Category 1 Business Use & Category 2 Commuter Use**

The use of Category 1 and Category 2 Council vehicles outside of normal working hours is only permitted with the authorisation of the relevant Manager.

## **6.9. Absences from the Workplace**

During absence from the workplace, due to Annual Leave, Sick Leave, or Long Service Leave in excess of one (1) working day, the Responsible Officer of any Category 2 vehicle shall return the vehicle to Council.

When a section is reliant on a vehicle to carry out Council business, i.e. where one vehicle is used by several officers in that section, that vehicle shall also be returned by the Responsible Officer on his/her rostered days off. The relieving officer of that section shall be responsible for the vehicle for that period.

## **6.10. Use Agreement**

Responsible Officers shall enter into an agreement with the chief executive officer on behalf of the Council that ensures compliance with this Policy (refer Appendix 1). Notwithstanding this agreement, all Council vehicles are to be utilised as pool vehicles during normal office hours.

## **6.11. Infractions**

Under no circumstances will the Council be liable to pay any fine or costs incurred by the driver of a Council vehicle if that person infringes road Traffic Regulations, the Local Laws of any Local Government with respect to parking restrictions, or any other regulation that relates to the use of vehicles.

The onus for payment of a fine or other costs resides with the offender.

A Responsible Officer convicted of drink driving at any time shall automatically forfeit rights for usage of the Council vehicle for at least the period of licence cancellation (if any).

In the instance of parking or traffic infringements, if the actual driver cannot be determined, the Responsible Officer shall be held liable for the penalties involved.

A Responsible Officer, who receives a traffic infringement notice, may be deemed in contravention of this policy and may be subject to Council's Disciplinary Procedures.

A Responsible Officer shall notify his or her Manager or CEO of the Traffic Infringement Notice within seven (7) days of its issue

## **7 ASSOCIATED DOCUMENTS**

Vehicle Procedure

Employee Code of Conduct

No Smoking Policy

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## 5.2 Tenders - Agricultural Lease - Ayr Aerodrome

### Document Information

**Referring Letter No:** N/A

**File No:** 173

**Name of Applicant:** N/A

**Location:** Part of Lot 106 RP898777 – Ayr Aerodrome

**Author and Title:** Mrs Vicki Walker - Governance and Property Officer

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### Executive Summary

Through public advertisement Council called tenders for leasing part of the land (54.11 hectares) at the Ayr Aerodrome for agricultural purposes. Four tenders were received.

### Recommendation

1. Council accepts the tender from Kenrose Co Pty Ltd for the leasing of an area of land at the Ayr Aerodrome for agricultural purposes this being the most advantageous tender received.
2. Council agrees to enter into a freehold lease with Kenrose Co Pty Ltd for agricultural purposes over land at the Ayr Aerodrome described as Leases B, C and D on Lot 106 RP898777 containing an area of 54.11 hectares, for a period of three (3) years with an option for a further 2 years.

### Background Information

The Council recently called tenders for the leasing of an area of land at the Ayr Aerodrome which has been leased out by Council for agricultural purposes since 1994.

Four tenders were received from:

- Kenrose Co Pty Ltd
- JWL Viero Trust
- D & A Farming Pty Ltd, AEM Farming Trust and Minuti Harvesting Trust (Joint Tender)
- CS De Domenico & Co Pty Ltd

The most advantageous tender was submitted by Kenrose Co Pty Ltd. which is comparable to industry rental advice sought by Council in 2013.



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The previous tender adopted by Council was on the following basis:

Years 1 - 2 \$15,000 per annum

Years 3 - 5 \$25,000 per annum

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

2.4.5 Support development, diversification, sustainability and expansion of aquaculture and agriculture industries.

### **Consultation**

Public Tenders called  
MacDonnells Law, Solicitors

### **Legal Authority or Implications**

Requirement under the Local Government Regulation 2012 to call tenders/expressions of interest when disposing of an interest in land or asset.

### **Policy Implications**

N/A

### **Financial and Resource Implications**

Preparation of draft lease document by Council's solicitors

#### **Report prepared by:**

Vicki Walker - Governance and Property Officer

#### **Report authorised by:**

Dan Mulcahy - Manager Governance and Local Laws

### **Attachments**

Nil

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## 5.3 Expressions of Interest - Ayr Racecourse Reserve

### Document Information

**Referring Letter No:** N/A

**File No:** 1381

**Name of Applicant:** N/A

**Location:** 1-45 Cunningham Street, Ayr (Ayr Racecourse Reserve) – Lot 1 on Plan GS95 Reserve for Sport and Recreation

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

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### Executive Summary

Through public advertisement Council invited expressions of interest from community based not for profit organisations to lease land and all or some of the buildings located at 1-45 Cunningham Street, Ayr (Ayr Racecourse Reserve). Three expressions of interest were received from the Burdekin Performance Horse Club Inc, Burdekin Track and Field Club Inc and the Townsville Greyhound Racing Club Inc.

### Recommendation

1. That Council agrees to enter into a Trustee Lease with the Burdekin Performance Horse Club Inc over part of Lot 1 on Plan GS95 Reserve for Sport and Recreation for a period of 10 years subject to the usual terms and conditions set by the Department of Natural Resources & Mines and Council, and subject to the Club obtaining the relevant planning approval.
2. The Council undertakes discussions with the Burdekin Track and Field Club Inc and Townsville Greyhound Racing Club Inc to obtain further information with regard to their expressions of interest submitted for the lease of part of Lot 1 on Plan GS95 Reserve for Sport and Recreation.

### Background Information

There are currently no lessees at the Ayr Racecourse Reserve.

The Lower Burdekin Greyhound Racing Club, the Racehorse Owners and Trainers Association of the Burdekin and Burdel Co-operative Society/Burdekin Area Youth Watch Inc (BAYWATCH) were all former lessees.

When BAYWATCH vacated the premises in April 2015 Council appointed Gerald and Ollie Henaway as caretakers, as there was a concern that the premises would be vandalised if left vacant. Mr. and Mrs. Henaway were previously caretakers for BAYWATCH and occupy the lower half of the main building which has been reclassified to a caretakers residence. The

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caretakers residence was excluded from the specification for the expressions of interest and is not available for lease.

### Expressions of Interest

The Burdekin Performance Horse Club Inc has expressed an interest in leasing the stables and surrounding area for its horse riding activities.

The Burdekin Track and Field Club Inc has expressed an interest in a number of the buildings, part of the track area and a small area of land amongst the buildings on the Cunningham Street side of the reserve.

The Townsville Greyhound Racing Club wants to lease the whole of the available area – all buildings, the race track and the training track near the site where the old cricket club was located.

The Council has a number of bores on the reserve and this would need to be a consideration when preparing the lease document(s) to ensure Council has appropriate access for maintenance purposes.

Similar to other trustee leases the land and improvements are offered for lease in an “as is” condition.

Following the submission of the Expressions of Interest a meeting was held with representatives of the Burdekin Performance Horse Club Inc. As part of this discussion the Club was requested to submit a plan for the operation of the proposed lease area. The club subsequently submitted an Operations Manual (Refer attached).

The use proposed by the Burdekin Performance Horse Club Inc will trigger the requirement for an Impact Assessable Material Change of Use application to be lodged for Council approval. This is in accordance with the requirements of Council’s IPA Planning Scheme. The application will have to be publicly notified as part of the application process. The Operations Manual will form part of the supporting material for the MCU.

As the Burdekin Performance Horse Club’s expression of interest does not conflict with the other two submissions, it is recommended that this lease be progressed subject to the submission of a Material Change of Use application and subsequent approval by Council.

The Burdekin Track and Field Club Inc and the Townsville Greyhound Racing Club Inc have expressed an interest in the same areas of the reserve. It is recommended that Council officers meet with representatives of the clubs to obtain further information to enable Council to consider their submissions appropriately.

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

3.3.1 Encourage increased use of community spaces and facilities.

### **Consultation**

Public Expressions of Interest called.



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## **Legal Authority or Implications**

Requirement under the Local Government Regulation 2012 to call tenders/expressions of interest when disposing of an interest in land or asset.

## **Policy Implications**

N/A

## **Financial and Resource Implications**

Nil

## **Report prepared by:**

Vicki Walker, Governance and Property Officer

## **Report authorised by:**

Dan Mulcahy, Manager Governance and Local Laws

## **Attachments**

1. Burdekin Performance Horse Club Inc Operations Manual

**COPY**



BURDEKIN SHIRE COUNCIL	
File ID No.	1643
15 FEB 2017	
Document No.	
Retention Period	

**Burdekin Performance Horse Club Inc.**

c/- 128 c Edwards Street,  
Ayr, Q 4807.

10<sup>th</sup> February 2017

RE: Operations Manual

Dear Dan,

VIEW		AGENDA	
		DATE	
		APPLIC #	
NOTED		PROP #	
TENDER		LAND #	
ACTION			
DEADLINE		CLASS	

Please find the following Operations Manual for the Burdekin Performance Horse Club Inc club grounds if approval of a lease for the Ayr Race Course stables & surrounding area as per expression of interest submitted.

The Burdekin Performance Horse Club Inc. show season runs for mostly the cooler parts of the year being that from around March to September.

Please find included with in this letter a map & reference to give the council an idea of usage for the stables & grounds area.

If upon approval of lease given to the Burdekin Performance Horse Club Inc. working bees will commence to tidy up the new club grounds; this will include such things as trimming back of tree branches leaning on any roof structures to both stables & shed. The old shower/toilet block will be cleaned of all rubbish & any old hay bales.

All grasses will be mowed down to a level for easy maintenance & encourage new grass growth, whilst preventing rodents nesting in old dry dead grasses also reducing a fire hazard. Arena will be cleaned up & maintain with sprinkler use to maintain dust levels before, during & after any use whilst in training, shows, clinics, club & sports days.

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*Fences will be repaired & maintained. Old broken down round yard will be dismantled & removed. A designated area for a small stockpile of manure will be made & will be opened up either monthly, fortnightly or weekly for any community members who wish to use manure in their gardens this will be free for the public.*

*With the help of the Burdekin Shire Council & any recommendations n doing so we would like to plant one dense row of trees along two sides of the arena being that both Cunningham & Burke Street sides to also help prevent & capture the dust or any noise level along the street fronts.*

*Arena:*

- \* To be watered before, after & during at intervals where a period of time allows to do so, whilst minimizing dust for health & safety of horses, riders & officials during competition, club days, training days & clinics.*
- \* The club will have a registration book on grounds, members only to utilize the arena, members must sign into registration book, those individuals are responsible for watering arena before use & removing any manure at finalizing, any member found to be utilizing the arena without prior approval & or signing the registration book will be in serious breach of club rules*
- \* Plant one dense row of trees along two sides of the arena being that both Cunningham & Burke Street sides to also capture the dust & any noise level along the street fronts.*
- \* We would be grateful of any recommendations or help from the Burdekin Shire Council in regards to supply of such barrier.*
- \* The club would maintain trees.*

*Main Stables:*

- \* Stables being used will be cleaned twice a day – morning & night.*
- \* Manure will be placed in a designated area/bay & be opened up on a weekend to the community either monthly/fortnightly or weekly for collection of manure for private use in their gardens; if in excess manure will be removed by club to prevent a major stockpile of unused manure.*
- \* Lime to be used when necessary to nullify odour, this would mainly occur during the cooler months being that the stables take longer to dry out.*
- \* Sprinklers will be used around the camping & stable areas to encourage grass growth & in return reduce dust levels.*
- \* Gates to main stable complex will be closed whilst in use at all times to ensure the safety of any horse/s shall they escape from immediate stable enclosure.*
- \* The people responsible for designing the existing stables along with their existing positions obviously had a lot of foresight as the easterly wind direction prevalent for this area ensures that the neighbourhood is not affected.*

*Camping Stables:*

- \* Stables being used during a competition/clinic/club day will be cleaned twice a day, morning & night & before time of departure by competitors.*
- \* Manure will be placed in a designated area/bay & be opened up on a weekend to the community either monthly/fortnightly or weekly for collection of manure for private use in*



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*their gardens; if in excess manure will be removed by club to prevent a major stockpile of unused manure.*

- \* Lime to be used when necessary to nullify odour, this would mainly occur during the cooler months being that the stables take longer to dry out.*
- \* Sprinklers will be used around the camping & stable areas to encourage grass growth & in return reduce dust levels.*

*Day Paddocks:*

- \* For camping will be watered to encourage grass growth & reduce dust levels.*
- \* Day Paddocks will be cleaned twice a day morning & night.*
- \* Manure will be placed in a designated area/bay & be opened up on a weekend to the community either monthly/fortnightly or weekly for collection of manure for private use in their gardens; if in excess manure will be removed by club to prevent a major stockpile of unused manure.*
- \* Sprinklers will be used in day paddocks to encourage grass growth & in return reduce dust levels.*

*Agistment Paddocks:*

- \* Agistment paddocks will be cleaned once a day.*
- \* Manure will be placed in a designated area/bay & be opened up on a weekend to the community either monthly/fortnightly or weekly for collection of manure for private use in their gardens; if in excess manure will be removed by club to prevent a major stockpile of unused manure.*
- \* The removal of any old hay will be the responsibility of the agistee to remove from the club grounds.*
- \* Sprinklers will be used in day paddocks to encourage grass growth & in return reduce dust levels.*
- \* Is it the agisters' responsibility to check the paddock fence &, to clear any long grass, branches or debris that will affect the operation of the fences.*
- \* No other horse/s other than those approved by the management committee will be permitted to reside on the club grounds.*
- \* Agistment fees are to be paid two weeks in advance.*
- \* Any agistee not adhering strictly to the Agistment rules will face eviction from the club grounds.*
- \* A member of the clubs management committee will conduct spot inspections weekly.*

*Entrances to club grounds:*

- \* First access along Cunningham Street, this gate will be the main access point to grounds & will be closed at all times during every day use & during any competitions/clinics & club days for the safety of rider, horse & the general public.*
- \* Second access will be closed & locked from access off old race track itself & will be used only when necessary.*

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*Internal Gates:*

- \* *All internal gates to arena, round yard pens, Agistment & day paddocks, main stables & camping stables will be closed at all times & during use for safety of both horse & rider.*

*If you have any further suggestions that we could economically employ we would be only too glad to have further discussions with you.*

*I trust that the above meets with your approval. If we can be of any further assistance please feel free to call.*

*Kind regards,  
Roxanne Vass  
Secretary of the  
Burdekin Performance Horse Club Inc.*







## BPHC Inc — Ayr Race Course Stable Area Map References



Main Stables



Existing Trees



Camping Stables



Tree Line—Dust Control



Shed/Old Shower Toilet Block



Manure Bay

Camping Area

Camping Grounds Area



Broken Down Old Round Yard



Entrance Gates

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## 5.4 2016-17 Budget Allocation for Boat Storage

### Document Information

**Referring Letter No:** N/A

**File No:** 1531

**Name of Applicant:** N/A

**Location:** N/A

**Author and Title:** Dan Mulcahy – Manager Governance and Local Laws

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### Executive Summary

Council has 2 boats used for aquatic weed control activities. One boat is currently stored in the open next to the existing sheds at the Jones Street Depot that house the vector and weed control equipment. It is recommended that additional storage be provided to cover and protect the boat.

### Recommendation

That Council approves the amendment of the 2016-17 Budget by including a capital allocation of \$7,000 to cover the construction of additional covered storage at the Jones Street Depot to house the boat used for aquatic weed control activities.

### Background Information

Council has 2 boats used for aquatic weed control activities. One boat is currently stored in the open next to the existing sheds that house the vector and weed control equipment.

The 2<sup>nd</sup> boat was purchased around 2008 and has never had a covered storage area.

The covered storage will provide protection for the asset when not in use.

A photo of the existing arrangement is attached.

### Link to Corporate/Operational Plan

1.1.1 Plan and build infrastructure that adds value to Council and community assets

### Consultation

Discussions with relevant Pest Management Officers and Building Department Officers.

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**Legal Authority or Implications**

N/A

**Policy Implications**

N/A

**Financial and Resource Implications**

Small amount of new capital funds required.

**Report prepared by:**

Dan Mulcahy – Manager - Governance and Local Laws

**Report authorised by:**

Dan Mulcahy – Manager - Governance and Local Laws

**Attachments**

1. Photo – Jones Street Boat Storage





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## 5.5 Proposed Extension of Leased Area - Home Hill Community Kindergarten Inc

### Document Information

**Referring Letter No:** 1563969

**File No:** 1615

**Name of Applicant:** Home Hill Community Kindergarten Inc

**Location:** Part Lot 19 on Crown Plan SB744 – Reserve for Local Government (Community and Cultural Facilities) R196

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

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### Executive Summary

The Home Hill Community Kindergarten has requested approval to extend the northern boundary of their leased area in Tenth Avenue, Home Hill by 10 metres to accommodate a storage area and additional play area.

### Recommendation

That approval is granted to the Home Hill Community Kindergarten Inc to extend the boundary of its leased area in Tenth Avenue, Home Hill by 10 metres subject to the following:

1. Surrender of the current trustee lease held by Home Hill Community Kindergarten Inc over part Lot 19 on Crown Plan SB744;
2. The issue of a new trustee lease to Home Hill Community Kindergarten Inc over part Lot 19 on Crown Plan SB744 for a period of 10 years subject to the usual terms and conditions set by the Department of Natural Resources & Mines and Council to accommodate the proposed northern boundary extension of 10 metres;
3. The Home Hill Community Kindergarten Inc being responsible for the fees associated with the registration of the lease in the Land Registry and the preparation of a new lease plan.

### Background Information

The Home Hill Community Kindergarten Inc leases an area of reserve land located in Tenth Avenue, Home Hill over part Lot 19 on Crown Plan SB744 – Reserve for Local Government (Community and Cultural Facilities) R196.

Section 57A of the Land Act 1994 provides that a trustee lease may be amended by registering an amendment of lease. However the amendment must not increase or decrease the area leased. Therefore the Kindergarten's request to extend their leased area will necessitate the surrender of the current lease and issue of a new trustee lease.

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The current lease commenced in 2002 and is due to expire on 31 January 2022. Although the current lease is for a term of 20 years, it is recommended that the new lease be issued for a term of 10 years to avoid triggering the requirement for a development approval for reconfiguring a lot under the Sustainable Planning Act.

The Kindergarten has asked that Council considers the following proposals to assist in lowering the costs involved in extending the leased area:

1. "The new lease could remain unregistered for a certain period."

*This cannot be considered as in accordance with Section 57(7) of the Land Act 1994 a trustee lease is required to be registered in the land registry for the lease to take effect. The Trustee Lessee has no right to the possession, occupation or use of the premises unless the trustee lease is registered. Lease registration fees would be \$208.00.*

2. "Perhaps a draftsman from the Council could prepare a sketch of the lease area to attach to the lease."

*In accordance with the Registrar of Titles Directions for the Preparation of Plans "a lease sketch must be certified as correct by the person who prepared the sketch and this will be by a **registered cadastral surveyor**".*

*In the past the Department of Natural Resources and Mines and the Titles Office have accepted lease sketch plans prepared by Council officers without the certification of a cadastral surveyor, however this is no longer the case. Council does not have a cadastral surveyor on its staff and therefore all lease plans are now required to be outsourced.*

*The quotation obtained for preparing an appropriate lease plan for the Home Hill Community Kindergarten proposal is \$825 (including GST).*

3. "Would Council consider inserting a clause into the lease providing that the lessee will pay the lessors costs and incidentals up to say \$1,200".

*The estimated total cost payable by the Home Hill Community Kindergarten for lease preparation fees and registration is \$1,033 (including GST).*

Solicitor's fees would not apply to the preparation of the lease as all documentation would be prepared by a Council officer.

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

3.1.6 Provide ongoing support for art, culture, youth, seniors and welfare.

## **Consultation**

Parks Co-ordinator, Mr. Tano Buono to ensure that the new area requested did not interfere with any park operations.



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**Legal Authority or Implications**

N/A

**Policy Implications**

N/A

**Financial and Resource Implications**

Lease preparation and registration costs are the responsibility of the lessee.  
Staff resource allocation for preparation of lease documentation.

**Report prepared by:**

Vicki Walker, Governance and Property Officer

**Report authorised by:**

Dan Mulcahy, Manager Governance and Local Laws

**Attachments**

Nil

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## 6 CLIENT SERVICES

## 7 FINANCIAL & ADMINISTRATIVE SERVICES

## 8 OPERATIONS

## 9 TECHNICAL SERVICES

## 10 PLANNING & DEVELOPMENT

### 10.1 Development Application - Material Change of Use for Motor Sports Facility at 30825 Bruce Highway Brandon (Lot 12 on SP138992 Parish of Jarvisfield, County of Gladstone)

#### Document Information

**Referring Letter No:** 1545608

**File No:** 226 & CONS16/0026

**Name of Applicant:** Rodney & Teresa Heathcote

**Location:** 30825 Bruce Highway, Brandon (Lot 12 on SP138992, Parish of Jarvisfield, County of Gladstone)

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

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#### Executive Summary

An application has been received from Rodney and Teresa Heathcote, seeking approval for a Material Change of Use for Motor Sports Facility at 30825 Bruce Highway, Brandon (Lot 12 on SP138992, Parish of Jarvisfield, County of Gladstone) A Development Application (Impact Assessable) has been triggered in accordance with the Burdekin Shire Council's IPA Planning Scheme.

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## Recommendation

That Council approves the Development Application for a Material Change of Use for a Motor Sports Facility at 30825 Bruce Highway, Brandon (Lot 12 on SP138992, Parish of Jarvisfield, 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.
- 1.3 The development and conduct of the approved use of the premises, the carrying out and maintenance of any works on the premises and construction and maintenance of any building on the premises must be generally in accordance with the supporting documents in the application submitted.
- 1.4 Prior to the commencement of use, lodge with Council an Operational Noise Management Plan (ONMP) for endorsement. The plan will be made available to the general public and must include the following details:
  - Type and number of events proposed per annum;
  - Proposed operating times;
  - Noise abatement strategies during an event; and
  - Details on the operator's complaint management system.

Any variations to the endorsed ONMP can only be changed following agreement by the Chief Executive Officer of Council.

### Building, Plumbing and Drainage Works

- 2.1 The applicants are required to obtain a Development Permit and Building Final for any new Building Works in accordance with the *Sustainable Planning Act 2009*. Any new works are to comply with the *Building Act 1975*.
- 2.2 The applicants are required to obtain a Development Permit for Plumbing and Drainage Works and Plumbing and Drainage Final in accordance with the *Sustainable Planning Act 2009*. Any new works are to comply with the *Plumbing and Drainage Act 2002*.

### 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.



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## **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.

## **Roadworks**

- 5.1 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 and/or Department of Transport and Main Roads.
- 5.2 Vehicle entry and exit points are to be as per Appendix B: Vehicle entry / exit paths, prepared by Rodney and Teresa Heathcote, not dated, no drawing reference number lodged in response to an information request from DTMR.

## **Damage**

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

## **Drainage/Stormwater**

- 7.1 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.
- 7.2 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system.

## **Operational Works**

8. 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;

## **Environment and Health**

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- 9.1 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.
- 9.2 Noise emitted by the activity is regulated under the *Environmental Protection Act 1994* and subordinate legislation. Ensure no contraventions over the levels defined are committed.
- 9.3 Upon receipt of a complaint regarding the emission of dust, odour or other air or noise emission, the operator must within a reasonable period of time:
- (a) take any actions necessary to resolve the complaint;
  - (b) implement abatement measures to minimise the emissions from the site and;
  - (c) record any complaint in the Complaints Register.
- 9.4 The track and any unsealed area should be regularly watered to avoid dust.
- 9.5 All spillage of waste, oils, chemicals or similar materials shall be cleaned up as soon as practical. Such spillage shall not be cleaned up by hosing, sweeping or otherwise releasing such wastes or contaminants to the land or stormwater infrastructure.
- 9.6 A spill kit must be maintained on site for use on spillages of any materials on site and be readily accessible at all times.
- 9.7 Fuel loading must only be conducted on a dedicated fuel loading area that is graded and drained to a collection sump suitable for the collection of fuel spillage
- 9.8 All solid wastes or other materials likely to produce contaminants shall be stored in bins with lids in place to prevent the ingress of stormwater.
- 9.9 Drains are to be designed and maintained with sufficient capacity to remove flows experienced during typical rain events.
- 9.10 No wash down of vehicles is to be permitted.
- 9.11 Waste and recycling services must be provided in accordance with Council's Waste Management Policy.
- 9.12 Regulated waste such as tyres and waste oil must be retained by participants and not stockpiled on site.

### **Amenity**

10. The operator of the Facility must keep a Complaints Register on the land at all times, for the inspection of an authorised office of the Council identifying:
- The time, date and detail of any complaint made to the operator relating to the use and occupation of the facility; and
  - Any action or response taken by the operator to rectify or reasonably deal with the complaint.

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

- *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 for approval prior to construction.*
- *Waste and recycling services must be provided in accordance with Council's Waste Management Policy.*

**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 (Motor Sports Facility) from Rodney and Teresa Heathcote. 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.

The Pioneer Park Speedway complex was established and operated from the mid-1970s with the last official speedway event being held in 2011. The operational scale of the facility was consistently maintained during this period. The need to lodge a new development application was triggered due to the facility ceasing operations in 2011 to the present day. This is considered to be an 'abandoned use' in accordance with the provisions of the *Sustainable Planning Act 2009* and therefore requires a new development application to be lodged with Council.

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

The applicants are seeking approval to reopen the former Pioneer Park Speedway to establish a similar activity on the subject site. Under the provisions of the Burdekin Shire Council's IPA Planning Scheme, (*the scheme*) an activity involving motor sports and/or speedway is considered assessable development. The proposed use is listed as Impact Assessable in the scheme's relevant Development Assessment Table and therefore required public notification.

The application provides the following details on the proposed use. The applicants intend to lease the facility back to local clubs to run 12-15 speedway or motorsport events per year. The events will run predominantly on a Saturday with operating hours between approximately 4.00 p.m. (gates open) with racing between 7:00pm – 10:30pm. The applicants have also indicated that there is an opportunity to use the site for driver training opportunities. No further details have been provided as part of this application with regard to this possible ancillary activity.

The proposed development will utilise the existing vehicle access from the Bruce Highway. Traffic movements including access, egress, layout and vehicular turning paths have been considered with a Traffic Impact Assessment report being provided as part of the application.



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Proposed operational procedures have been developed to minimise any negative impacts to localised traffic and existing road infrastructure. Strategies including early opening times, on-site parking for up to 500 vehicles, additional queuing lanes and ticket boxes being re-located to achieve a greater set-back distance from the property boundary have been planned to minimise any detrimental impacts.

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 will ensure that any potential negative impacts on existing traffic flows on the highway are minimised.

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

The subject site is located off the Bruce Highway behind the rest area at the Five Ways Road turn off approximately 2km from Brandon. The site has a total area of 4.060 hectares and has a physical address at 30825 Bruce Highway, Brandon. The site was formerly known as the Pioneer Park Speedway facility. The site currently has a constructed disused race track, lighting infrastructure, and several outbuildings previously used to support the past use. Since the facility has been acquired by the new owners the site has been cleaned up with several old buildings being removed.

The surrounding area has a mix of agricultural and rural uses including sugar cane farms, horse stables and vacant rural land. There are 2 dwellings on separate title located beside the complex with Pioneer Sugar Mill and Sugar Research Australia located to the north/west of the subject site.

### **Comment on Submissions:**

Given that the Development Application was triggered as 'Impact Assessable', public notification was required. At the closing date for submissions, 5 properly made submissions were received.

Of the 5 submissions received, 4 were in support of the proposal. The remaining submission was from a nearby landowner concerned about negative impacts the proposed activity could have on the safety and health of their horses (broodmares and show ponies). Currently several horses are kept in a pony stud located across the Bruce Highway approximately 125 metres away from the proposed motor sport facility.

As part of the assessment process Council officers have liaised with the applicant to identify and assist in managing any unacceptable noise emissions emanating from the property during an event. Given the nature of the activity there will be noise emissions. Several noise abatement strategies are already in place at the site and include: a sunken race track, raised earthen mounds for spectator parking, physical separation and dense plantings of mature trees. The applicants have indicated that they are prepared to provide dates of all of the scheduled events in any given year and include them in a calendar of events. This calendar will be part of the Operational Noise Management Plan. (ONMP) This plan will be included as a condition of any approval granted by Council. This will ensure that all members of the public and in particular, the owners of the pony stud are advised well in advance of any scheduled race meet. This will also assist the owners of the stud when planning for any

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mitigation measures that may be necessary to ensure that the well-being of the animals is maintained.

**Recommendation:**

After careful consideration of the application including all supporting material, information contained in submissions and comments from referral agencies, Council's Development Assessment Team (DAT) members have assessed the application against the relevant planning instruments and recommend it be approved. Specific development conditions of approval have been drafted to be included in any Decision Notice issued. This will ensure any negative impacts emanating from the proposal will be minimised.

**Link to Corporate/Operational Plan**

N/A

**Consultation**

Given that the Development Application was triggered as 'Impact Assessable', public notification was required. The application was advertised in the Ayr Advocate on Friday 20th January, 2017 and at the closing date for submissions on Tuesday 14 February, 2017, 5 properly made submissions were received.

All relative Council Departments have been consulted. In accordance with the 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:**

Shane Great – Manager Planning and Development

**Report authorised by:**

Shane Great – Manager Planning and Development

## Attachments



### Planning Scheme

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

### Zone Map

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











## Barn Across the Road



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## **11 COMMUNITY DEVELOPMENT**

## **12 ECONOMIC DEVELOPMENT**

## **13 NOTICES OF MOTION**

### **13.1 Approval of Submission - Building Our Regions - Round Three**

#### **Recommendation**

That Council approves the submission of applications under the Queensland Government Department of State Development's Building Our Regions Round 3 for the following projects -

1. "Ayr/Brandon Waste Water Treatment Plant Upgrade/Refurbishment" noting that Council's contribution from the 2017/18 budget would be \$234,000 or 60% of the total project costs of \$390,000;
2. "Home Hill Waste Water Treatment Plant Upgrade/Refurbishment" noting that Council's contribution from the 2017/18 budget would be \$189,000 or 60% of the total project costs of \$315,000; and
3. "Edwards Street Drainage Upgrade" noting that Council's contribution from the 2017/18 budget would be \$700,000 or 50% of the total project costs of \$1,400,000;

and commits to the future maintenance funding of such assets.

## **14 CORRESPONDENCE FOR INFORMATION**

Tabled Separately

## **15 GENERAL BUSINESS**

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## **16 CLOSED MEETING ITEMS**

- Provision of Animal Pound Services 2017-2022

## **17 DELEGATIONS**



