MINUTES

ORDINARY COUNCIL MEETING

HELD AT COUNCIL ADMINISTRATION BUILDING, 145 YOUNG STREET, AYR

on 12 September 2017

COMMENCING AT 9:00AM



BURDEKIN SHIRE COUNCIL



TUESDAY 12 SEPTEMBER 2017

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BURDEKIN SHIRE COUNCIL



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ATTENDANCE

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

Mr. D. Mulcahy – Manager Governance and Local Laws

Mr. S. Great - Manager Planning and Development

Mr. T. Vaccaro - Manager Community Development

Mrs. K. Olsen - Manager Financial and Administrative Services

Mr. W. Saldumbide - Manager Operations

Mr. K. Byers - Manager Technical Services

Minutes Clerk - Mrs. A. Dale

Apologies: Councillor A.J. Goddard (Deputy Mayor) – Leave of Absence

Mr. T. Brennan - Chief Executive Officer - Local Government Management

Association Annual Conference

1 PRAYER

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

2 DECLARATIONS OF INTEREST

The Mayor called for declarations of interest.

Mayor, Councillor McLaughlin declared a perceived Conflict of Interest relating to Item 9.3 as the Contractor is a family friend and in relation to Item 10.1 as the applicant is a family friend. Councillor McLaughlin advised of her intentions to leave the meeting when these items are discussed.

2.1 Nomination of Acting Chair - Councillor Woods

Resolution

Moved Councillor Perry, seconded Councillor Bawden that Council appoint Councillor Woods as Acting Chair of the Ordinary Council Meeting during Item 9.3 and Item 10.1 due to Councillor McLaughlin's Declaration of Interest and in the absence of Deputy Mayor, Councillor Goddard.

3 MINUTES AND BUSINESS ARISING

3.1 Ordinary Council Meeting Minutes - 22 August 2017

Recommendation

That the minutes of the Ordinary Council Meeting held on 22 August 2017 be received and confirmed.

Resolution

Moved Councillor Liessmann, seconded Councillor Bawden that the recommendation be adopted with the following amendment;

That in relation to Item 2 - Declaration of Interest, Councillor Woods declared a
perceived Conflict of Interest due to being the Patron and an Executive Committee
Member of the Burdekin Singers and not due to being the President of the Harvest
Festival.

CARRIED

3.2 Burdekin Building Safer Communities Action Team Meeting Minutes - 9 August 2017

Recommendation

That the minutes of the Burdekin Building Safer Communities Action Team Meeting held on 9 August 2017 be received and adopted.

Resolution

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

3.3 Burdekin Shire Youth Council Meeting Minutes - 14 August 2017 - Lay on the Table

Recommendation

That the minutes of the Burdekin Shire Youth Council Meeting held on 14 August 2017 be received and adopted.

Resolution

Moved Councillor Perry, seconded Councillor Liessmann that the recommendation lay on the table for further information regarding Clause 7 - RADF Art Project Ideas.

CARRIED

3.4 Burdekin Shire Road Safety Advisory Committee Meeting Minutes - 23 August 2017

Recommendation

That the minutes of the Burdekin Shire Road Safety Advisory Committee Meeting held on 23 August 2017 be received and adopted.

Resolution

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

CARRIED

3.5 Audit Committee Meeting Minutes - 30 August 2017

Recommendation

That the minutes of the Audit Committee Meeting held on 30 August 2017 be received and adopted.

Resolution

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

CARRIFD

9.15am - Mrs. J. Horan attended the meeting.

3.3.1 Burdekin Shire Youth Council Meeting Minutes - 14 August 2017

Mrs. J. Horan attended the meeting and discussed Clause 7, RADF Art Project Ideas with Council.

Resolution

Moved Councillor Perry, seconded Councillor Liessmann that the minutes of the Burdekin Shire Youth Council Meeting held on 14 August 2017 be received and adopted.

CARRIED

9.27am – Mrs. J. Horan left the meeting and Mr. A. Drew attended the meeting.

3.6 Community Grants Panel Meeting Minutes - 5 September 2017 - Lay on the Table

Recommendation

That the minutes of the Community Grants Panel Meeting held on 5 September 2017 be received and adopted.

Resolution

Moved Councillor Liessmann, seconded Councillor Bawden that the recommendation lay on the table pending further discussions with Burdekin Basketball Association.

4 REPORTS

4.1 Council Workshops - August 2017

Executive Summary

During the past month workshops were conducted by Council on 1, 15 and 29 August 2017 to discuss a range of policy and operational issues, receive presentations and undertake inspections of Council facilities.

A brief summary of the issues discussed at the August workshops is contained in the report.

Recommendation

That the report on the Council workshops held on 1, 15 and 29 August 2017 be received and noted.

Resolution

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

CARRIED

5 GOVERNANCE & LOCAL LAWS

5.1 Adoption of Revised Vandalism Policy

Executive Summary

Council has had a Vandalism Policy in place since 1997 in response to an increased number of vandalism attacks on Council assets. The policy provides Council with the ability to provide a monetary reward for information provided that leads to the arrest of an individual in relation to an act of vandalism on a Council asset.

As part of the full policy review, Council have discussed this policy at a recent Council workshop and some suggested amendments have been included in the revised policy. The policy has been amended to reflect Crimestoppers normal reward conditions. The previous policy included a reward of \$5000 for the provision of information that led to a conviction, however Crimestoppers have advised Council that they do not follow cases following arrest and only pay a reward that leads to an arrest. With this in mind, the reward amount stated in the policy has been reduced to \$1000 which is also in line with the current Crimestoppers reward amount.

Recommendation

That Council adopts the attached revised Vandalism Policy.

Resolution

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

CARRIED

6 CLIENT SERVICES

7 FINANCIAL & ADMINISTRATIVE SERVICES

8 OPERATIONS

8.1 Tenders for Preferred Supplier Arrangement for the Supply and Delivery of Bulk Petroleum Products - Request for Extension from 1 October 2017 to 30 September 2018

Executive Summary

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

Council at its Ordinary meeting of 13 September 2016, Clause 8.1, resolved to accept a recommendation to appoint Puma Energy (Australia) Fuels Pty Ltd as the successful tenderer for Supply and Delivery of Bulk Petroleum Products under Preferred Supplier Arrangement (PSA00045). This was initially a twelve month contract with a further three, twelve month extension options available.

The initial twelve month contract period expires 30 September 2017.

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

Recommendation

It is recommended that Council exercise the option to extend the current contract for a further twelve months with Puma Energy (Australia) Fuels Pty Ltd as the Preferred Supplier for the Supply and Delivery of Bulk Petroleum.

Resolution

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

CARRIED

9.40am – Mr. A. Drew left the meeting.

8.2 Calling for a Register of Pre-Qualified Suppliers for Bore and Pump Maintenance Services

Executive Summary

Council operates and maintains 30 bore pumps and associated electrical and civil infrastructure in delivering drinking water to ratepayers in the Shire. The engagement process to procure the services of suitably qualified professionals to perform maintenance on existing bores is not as robust as current procurement standards dictate and potentially leaves Council officers exposed to criticism and possible claims of favouritism.

The creation of a register of pre-qualified suppliers for bore maintenance services will provide greater transparency and streamline the engagement process for Council officers when requesting work or quotations for work on existing and future bores including their pumps and motors and improve competitiveness of suppliers.

The establishment of a register of pre-qualified suppliers will enable council to request those suppliers to quote on Council's bore maintenance and development without council having to call tenders on each occasion.

Recommendation

It is recommended that Council call tenders to establish a register of pre-qualified suppliers for the supply of Bore and Pump Maintenance Services.

Resolution

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

9 TECHNICAL SERVICES

9.1 Extension of Water Supply - South Ayr - Lay on the Table

Executive Summary

Report on public consultation for possible water network extension, South Ayr

Recommendation

Council resolves not to provide an extension to the water network in South Ayr and properties be charged full cost of connection if and when they wish to be connected to the reticulated water system.

Resolution

Moved Councillor Bawden, seconded Councillor Woods that the recommendation lay on the table pending further investigation.

CARRIED

17 DELEGATIONS

17.1 Presentation - NQ Sports Foundation

10.00am – Mr. Stephen Farrell, Chief Executive Officer and Councillor Maurie Soars, Deputy Chair of NQ Sports Foundation presented to Council an overview of the NQ Sports Foundation, awards and projects.

17.2 Presentation - Payce North Queensland Sports Encouragement Bursaries

10.30am – The Payce NQ Sports Encouragement Bursaries were presented to Miss Tara Jenkins for Golf and Mr. Hayden Lammon for Rugby League and Basketball.

10.43am – Morning Tea.

11.14am – Meeting resumed.

3 MINUTES AND BUSINESS ARISING

3.6.1 Community Grants Panel Minutes - 5 September 2017

Recommendation

That the minutes of the Community Grants Panel Meeting held on 5 September 2017 be received and adopted.

Resolution

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

CARRIED

11.16am – Mr. S. Great attended the meeting. Councillor McLaughlin left the meeting due to a perceived Conflict of Interest and Councillor Woods assumed the Chair.

10 PLANNING & DEVELOPMENT

10.1 Development Application - Material Change of Use for a Vehicle Wash Facility at 51-53 Eighth Avenue and 52 Sixth Street, Home Hill (Lots 161 and 162 on H6166)

Executive Summary

An application has been received from Tony Ferraris Consulting Building Design on behalf of his client Richard Bonato seeking approval for a Material Change of Use for Vehicle Wash Facility at 51-53 Eighth Avenue and 52 Sixth Street, Home Hill (Lots 161 and 162 on H6166).

Recommendation

That Council approves the Development Application for a Material Change of Use for Vehicle Wash Facility at 51-53 Eighth Avenue and 52 Sixth Street, Home Hill (Lots 161 and 162 on H6166) subject to the following conditions:

Approved Plans/Staging

1. (a) 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 applications supporting material including all drawings/documents identified in the table below, except where modified by the conditions of this Development Permit and any approval issued there under.

Document/Title	Reference	DWG No Issue	Date
Proposed Site Development Plan	TFBD- 17001	A02 – P2	12.05.17
Overall Site Development Plan	TFBD- 17001	A03 – P2	12.05.17

- (b) Where a discrepancy or conflict exists between the written condition(s) of the approval and the approved plans, the requirements of the written condition(s) will prevail.
- (c) The proposed development must comply with all Planning Scheme requirements as applying at the date of this approval, except as otherwise specified by any condition.

Compliance with conditions

2. The proposed development must comply with all conditions of this development permit prior to the commencement of the use.

Outstanding charges

3. All rates and charges (including regulated 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.

Notice of Intention to commence the use

4. 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.

Public Utility Services/Damage

- 5.1 The developer must at its own cost undertake all necessary alterations to public utility mains and services as are rendered necessary by the carrying out of any required external works or other works associated with the approved development.
- 5.2 Any damage which is caused to Council's infrastructure as a result of the proposed development must be repaired immediately.

Building Work

6. A development permit for Building Works is to be obtained before any building works are carried out on the premise. Proposed buildings to be constructed within allowable setbacks must achieve acceptable solutions in accordance with the requirements of Section C; Building Code of Australia

Access and Carparking

- 7.1 Construct three industrial crossovers (150mm thick, 32 mPa concrete, F72 mesh) at the proposed entry points on Sixth Street, from the invert of the existing kerbing and channelling to the property boundary.
- 7.2 Provide a cross section for each driveway from the centre line of the road to the property boundary at a scale of 1:50 natural showing the existing and design levels. Such sections are to be provided prior to the commencement of any works.
- 7.3 If any existing on street parallel car parking fronting the proposed development needs to be realigned, the applicant id to be responsible for any works to be carried out. All design and works are to be in accordance with Council's guidelines and at the applicant's full cost.
- 7.4 Parking space and layout must be designed in accordance with the provisions contained in the supporting material included in the plans submitted with the application.
- 7.5 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.

Roadworks

- 8.1 The driveway closest to Eighth Avenue is to be an entry only. No exit from the driveway closest to Eighth Avenue to Sixth Street is permitted.
- 8.2 Entry from Sixth Street to the site via the driveway closest to Eighth Avenue shall be by left turn only.
- 8.3 On plan TFBD-17001, A03, Issue P2 the roof structure shown overhanging the property boundary is to be redesigned to ensure all proposed structures remain with the property boundary.

Drainage

- 9.1 Stormwater drainage from paved/sealed and roofed areas must be discharged under the footpath to kerb and channelling within the adjoining road reserves in accordance with AS3500.2.2003 or as otherwise required or agreed to in writing by the Chief Executive Officer or as otherwise required or agreed to in writing by council.
- 9.2 Grated trench drains are to be installed on all driveways at the boundary to intercept stormwater runoff from the property before discharge under the footpath.

- 9.3 The approved development and use(s) must not interfere with the natural flow of stormwater in the locality in such a manner as to cause ponding or concentration of stormwater on adjoining land or roads.
- 9.4 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system.

Operational Works

- 10. Where operational works are required to be carried out for the reconfiguration, the developer must, within the timeframe required by the Sustainable Planning Act 2009 and prior to the commencement of any work, lodge with Council an application for a development permit for operational works. As part of such application, the developer must submit:-
 - (a) detailed and complete engineering drawings and specifications of the proposed works prepared by a civil engineer, who is both registered under the Professional Engineer's Act 2002 and is current Registered Professional Engineer of Queensland; and
 - (b) certificate from the engineer who prepared the drawings stating that the design and specifications have been prepared in accordance with these conditions, relevant Council Codes and Planning Scheme Policies and the relevant Australian Standard Codes of Practice;

Water Supply Works Internal

- 11.1 The development must be connected to Council's reticulated water supply. The water connection must be provided at a location approved by Council and at the full cost of the developer.
- 11.2 Any connection or upgrades to Councils existing water infrastructure required by the development shall be carried out by the Council at the developers full cost.

Sewerage Supply

- 12.1 The development must be connected to Council's reticulated sewerage system. All works required are to be carried out at the developers full cost.
- 12.2 Any connection or upgrades to Councils existing sewerage infrastructure required by the development shall be carried out by the Council at the developers full cost.
- 12.3 The lawful point of discharge into Council's sewerage infrastructure shall be at a location approved by Council.

Trade Waste

- 13.1 Prior to commencement of activity, a "Permit to Discharge to Sewer" is to be obtained from Burdekin Shire Council, any device installed must achieve the following.
 - Each wash bay floor is to have falls on its surface directing water to a centre pit and drain,
 - Each wash bay shall have its own silt basket inside the grated pit in the middle of the wash bay to contain heavier solids,
 - Water will then travel to a sewer discharge tank to be treated through an oil/water separator device.
- 13.2 Stormwater drains shall be in areas outside of the wash bay area and away from overspray.
- 13.3 A flowmeter is to be installed to meter the waste at its entry point to the sewer. The meter readout is to be installed in a location easily accessible by Council staff.

Amenity – Screen Fencing/Landscaping

- 14. A landscaping plan shall be submitted and approved by the Chief Executive Officer. This plan must be prepared by a landscape architect or other suitably qualified and experienced person and designed to ensure existing amenity is not negatively affected and 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.

.Environment and Health

- 15.1 No release of contaminants, including, but not limited to dust, fumes, odour or aerosols or emission of noise is to cause or be likely to cause an environmental nuisance beyond the boundaries of the premises to which this development permit relates.
- 15.2 Upon receipt of a complaint regarding the emission of dust, light, 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, and
 - b. implement abatement measures to minimise the emissions from the site.
- 15.3 Where a complaint is made about noise from the activity, that is considered reasonable by an authorised officer and cannot be resolved by the operator of the activity subject of this approval, 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 (dBA)

NOISE LIMITS MEASURED AT THE FACADE OF THE NEAREST NOISE SENSITIVE PLACE			
Period Measured as L _{Aeq,} Measured as maxL _{pA}			
7am - 6pm	55	60	
6pm – 10pm	50	55	
10pm – 7am	45	50	

- 15.4 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, stormwater or any roadside gutter.
- 15.5 A spill kit must be maintained on site for use on spillages of any materials stored on site and be readily accessible at all times.
- 15.6 Chemicals must be stored in a bunded area undercover or other location whereby any spillage will not discharge to the ground or any area subject to stormwater or stormwater runoff.
- 15.7 All wash-down waters from the washing of vehicles, trailers, plant or equipment must be contained and collected and disposed of to an approved facility or discharged to sewer in accordance with Council's Trade Waste Policy. Wash-down waters must not be discharged to stormwater or on land subject to stormwater runoff.
- 15.8 All solid wastes or other materials likely to produce contaminates shall be stored in bins with lids in a place to prevent the ingress of stormwater.
- 15.9 There shall be no release of litter or contaminates from the site to any roadside gutter, drain or waters.
- 15.10 Waste and recycling services must be provided in accordance with Council's Waste Management Policy.
- 15.11 Lighting used to illuminate any areas of the premises shall be angled or shaded in such a way that lighting does not directly illuminate any nearby premises or roadways in such a manner as to constitute an environmental nuisance.
- 15.12 Car parks, landscaping and paved areas shall be regularly maintained to remove litter. Any potential contaminants shall be cleaned from the site on a regular basis.

Resolution

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

9 TECHNICAL SERVICES

9.3 Mount Inkerman Lookout Upgrade

Executive Summary

Additional funds required to complete upgrade work at Mount Inkerman.

Recommendation

Council resolves to provide an additional funding of \$70,000 to complete the Mount Inkerman Lookout upgrade works.

Resolution

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

CARRIED

11.48am – Councillor McLaughlin returned to the meeting and reassumed the Chair. Mr. S. Great left the meeting.

9.1.1 Extension of Water Supply - South Ayr

Executive Summary

Report on public consultation for possible water network extension, South Ayr

Recommendation

Council resolves not to provide an extension to the water network in South Ayr and properties be charged full cost of connection if and when they wish to be connected to the reticulated water system.

Resolution

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

Voting on Motion

FOR - Nil

AGAINST - Councillors McLaughlin, Woods, Bonanno, Liessmann, Perry and Bawden

LOST

Resolution

Moved Councillor Woods, seconded Councillor Liessmann that Council resolves to install an extension of 150mm main from Woods Street to Drysdale Street, South Ayr and Officers to provide a report on the cost for properties in the South Ayr Village Residential Zone to connect to the reticulated water system.

CARRIED

9.2 Update Local Flood Model

Executive Summary

Allocate funds to update the Local Flood model for Ayr, Brandon and Home Hill.

Recommendation

Council resolves to allocate funds from the Drainage Reserve to have the local flood model updated.

Resolution

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

CARRIED

10 PLANNING & DEVELOPMENT

11 COMMUNITY DEVELOPMENT

12 ECONOMIC DEVELOPMENT

13 NOTICES OF MOTION

14 CORRESPONDENCE FOR INFORMATION

15 GENERAL BUSINESS

15.1 Investigation - Lease Arrangements on Property Number 504

Resolution

Moved Councillor Liessmann, seconded Councillor Woods that Council Officers investigate and prepare a report on the lease arrangements for property number 504.

CARRIED

12.48pm – Lunch.

1.30pm – Townsville Enterprise Limited conducted an Advocacy Workshop with Council as part of the membership upgrade.

3.15pm – Meeting resumed.

15.2 Works for Queensland 2017 - Variation Two

Resolution

Moved Councillor Woods, seconded Councillor Perry that in respect of the Works for Queensland 2017 project listing and as a result of tenders received being well in excess of original estimates for the Plantation Park, Nature Based Play Space Project, Council approves the following variations:

- Amend Plantation Park, Nature Based Play Space, Stage 1 reduce from \$494,000 to \$140,000;
- Add Young Street, Ayr Bitumen reconstruction from Wilmington Street to Burke Street - \$273,000;
- Add Various Roads Resheeting \$81,000

CARRIED

15.3 North Queensland Regional Planning Committee Meeting - Palm Island - 13 September 2017

Resolution

Moved Councillor Woods, seconded Councillor Liessmann that Council approve the attendance of Councillor McLaughlin at the North Queensland Regional Planning Committee Meeting in Palm Island on 13 September 2017 and any expenses to attend the meeting be met by Council.

CARRIED

16 CLOSED MEETING ITEMS

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

Resolution

Moved Councillor Bawden, 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;

For the purpose of discussing;

- Debt Collection Services
- Tender Assessment for TBSC/17/011 Mount Inkerman Road Passing Lanes
- Proposed location for mobile food van

- 4.06pm Councillor Bonanno left the meeting during the Debt Collection Services discussion.
- 4.15pm Councillor Bonanno returned to the meeting during the Mount Inkerman discussions

Council Meeting opened to Public

Resolution

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

CARRIED

15 GENERAL BUSINESS

15.4 TBSC/17/011 - Tender Assessment - Mount Inkerman Road Passing Lanes

Resolution

Moved Councillor Liessmann, seconded Councillor Woods that Council resolves to

- allocate an additional \$650,000 to the Mt Inkerman Road upgrade project from the existing roadworks budget;
- accept the tender from East Coast Civil for the construction of the passing lanes on Mt Inkerman Road at a cost of \$1,173,625.60 ex GST.

CARRIED

15.5 Debt Collection Services - Collection House Limited

Resolution

Moved Councillor Woods, seconded Councillor Bawden that Council engage Collection House Limited to undertake debt collection services for all Council outstanding accounts and for the management of the statutory sale of ratepayer properties.

17 DELEGATIONS			

There being no further business the meeting closed at 4.25pm.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 26 September 2017.

MAYOR