



Burdekin Shire Council

MINUTES

ORDINARY COUNCIL MEETING

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

on 24 April 2018

COMMENCING AT 1:30PM



Burdekin Shire Council

TUESDAY 24 APRIL 2018

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ATTENDANCE

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

Mr. T. Brennan - Chief Executive Officer
Mr. N. O'Connor - Director Corporate and Community Services
Mr. D. Mulcahy - Manager Environmental and Health Services
Mrs. K. Olsen - Manager Financial and Administrative Services
Mr. W. Saldumbide - Manager Operations
Mr. S. Great - Manager Planning and Development (part of meeting)
Mr. K. Byers - Manager Technical Services

Minutes Clerk - Ms. K. Flanagan

The Ordinary Council Meeting scheduled for Tuesday 24 April 2018 commenced at 1:30pm instead of 9am due to Councillors' commitments attending ANZAC Day services and other matters.

1 PRAYER

The meeting prayer was delivered by Pastor Peter Holmes of the Burdekin Community Church.

2 DECLARATIONS OF INTEREST

The Mayor called for declarations of interest.

No declarations of interest were identified.

16 CLOSED MEETING ITEMS

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

Resolution

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

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

For the NBN Local Manager's (Marcello Massi) presentation to Council.

CARRIED

Council Meeting opened to Public

Resolution

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

CARRIED

The meeting agreed that Item 10.1 be brought forward to account for the meeting time change.

10 PLANNING & DEVELOPMENT

10.1 Development Application - Material Change of Use - Telecommunication Facility

Executive Summary

Council has received a Development Application from Catalyst ONE on behalf of their client Optus Mobile Pty Ltd seeking a development permit for a Material Change of Use Telecommunications Facility at 420 Beach Road, Ayr (Lot 1 on SP232081)

The proposal is for a defined use and triggers an 'Impact Assessable' Development Application in accordance with the provisions of the Burdekin Shire Council's IPA Planning Scheme (the scheme).

Recommendation

That Council approves the Development Application for a Material Change of Use for a Telecommunications Facility at 420 Beach Road, Ayr (Lot 1 on SP232081) subject to the following conditions:

Approved Plans

- 1.(a) The proposed development must be completed and maintained generally in accordance with the drawing/documents identified in the Table below, except as otherwise specified by any condition of this approval.

Drawing Title	Drawing/Revision	DATE
Draft Site Layout	B1413-P1, Rev 02	26/10/2017
Draft Site Elevation	B1413-P2, Rev 02	26/10/2017
Draft Property Layout	B1413-P3, Rev 02	26/10/2017
OPTUS Environmental EME Report		21/07/2017

- (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.

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- (c) The proposed development must comply with all scheme requirements as applying at the date of this approval, except as otherwise specified by any condition of this approval.
 - (d) The development must be constructed in the position and at the levels identified on the approved plans or as stipulated by a condition of this approval, noting that all boundary setback measurements are taken from the real property boundary and not from such things as road bitumen or fence lines.
 - (e) Prior to commencement of construction, the applicant is to submit for approval by the Chief Executive Officer, a revised site plan showing setback distances from the proposed telecommunications tower and property boundaries.

Rehabilitation

- 2. If the use is abandoned or ceases operation, the developer must rehabilitate the site by:
 - (a) Removing the monopole and all associated infrastructure, and
 - (b) Revegetate the site to a level compatible to surrounding vegetation or pastoral 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.

Damage

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

Access

- 6. The construction of any crossovers to give access to the land is to be the owner's responsibility and must be undertaken to the satisfaction of the Chief Executive Officer.

Public Utility Services

- 7. 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.

Stormwater

8. 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.

Resolution

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

CARRIED

1:42pm – Shane Great left the meeting.

3 MINUTES AND BUSINESS ARISING

3.1 Ordinary Council Meeting Minutes - 10 April 2018

Recommendation

That the minutes of the Ordinary Council Meeting held on 10 April 2018 be received and confirmed.

Resolution

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

CARRIED

3.2 Burdekin Building Safer Communities Action Team Meeting Minutes - 14 February 2018

Recommendation

That the minutes of the Burdekin Building Safer Communities Action Team Meeting held on 14 February 2018, that lay on the table pending the minutes being accepted by the Burdekin Building Safer Communities Action Team, be received and adopted.

Resolution

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

CARRIED

3.3 Local Disaster Management Group Meeting Minutes - 16 March 2018

Recommendation

That the minutes of the Local Disaster Management Group Meeting held on 16 March 2018 be received and confirmed.

Resolution

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

CARRIED

3.4 RADF Advisory Group Meeting Minutes - 10 April 2018

Recommendation

That the minutes of the RADF Advisory Group Meeting held on 10 April 2018 be received and adopted.

Resolution

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

CARRIED

4 REPORTS

4.1 Capital Projects Report - Period Ending 31 March 2018

Recommendation

That the Capital Projects Report for Period Ending 31 March 2018 be received.

Resolution

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

CARRIED

4.2 Operational Monthly Report - Period Ending 31 March 2018

Recommendation

That the Operational Monthly Report for Period Ending 31 March 2018 be received.

Resolution

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

CARRIED

5 GOVERNANCE & LOCAL LAWS

5.1 Adoption of Revised Complaints Regarding Corrupt Conduct by the CEO Policy

Executive Summary

The policy for dealing with complaints regarding corrupt conduct by the CEO has been reviewed and updated as part of Council's policy review schedule. The policy makes provisions for handling any complaints or matters which may involve allegations of corrupt conduct by the CEO and is aimed at increasing transparency and accountability. Council is required to have this policy in accordance with provisions of section 48A of the *Crime and Corruption Act 2010*. This policy nominates the Independent Chairperson of the Audit Committee and the Mayor as the nominated persons to deal with complaints or matters which may involve allegations of corrupt conduct by the CEO.

Recommendation

That Council adopts the Complaints Regarding Corrupt Conduct by the CEO Policy as attached to the report.

Resolution

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

CARRIED

5.2 Adoption of Revised Fraud and Corruption Control Policy

Executive Summary

Council's existing Fraud and Corruption Control Policy was adopted in December 2015 and was due for review in September 2017. As part of Council's ongoing policy review the policy has been reviewed and updated by Council and is now presented for readoption. No major changes to the policy have been proposed.

Recommendation

That Council adopts the Fraud and Corruption Control Policy as attached to the report.

Resolution

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

CARRIED

5.3 Adoption of Revised Public Interest Disclosures Policy

Executive Summary

Council has obligations under the Public Interest Disclosures Act 2010 to establish reasonable procedures for dealing with Public Interest Disclosures (PIDs). Public Interest Disclosures (PIDS) are disclosures about wrongdoing in the public sector. As a unit of public administration, Council must have processes for accepting and dealing with disclosures about wrongdoing. Council must also ensure that protections are available and are put in place to protect those people who make a disclosure. Council's Public Interest Disclosures Policy assists Council to meet these obligations.

Recommendation

That Council adopts the revised Public Interest Disclosure Policy as attached to the report.

Resolution

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

CARRIED

5.4 Readoption of Vehicle Policy

Executive Summary

Council adopted a revised Vehicle Policy in March 2017 with the provision of reviewing the effectiveness of the policy after a 12 month period. The policy implementation was discussed with Council at a recent workshop where it was noted that the policy has been well received and has been effective over the past 12 month period. The policy has been put into the new policy template and is now presented to Council for readoption with no other changes proposed.

Recommendation

That Council adopts the Vehicle Policy as attached to the report.

Resolution

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

CARRIED

3:02pm – The Meeting broke for Afternoon Tea

3:20pm – Meeting Resumed

6 CLIENT SERVICES

7 FINANCIAL & ADMINISTRATIVE SERVICES

8 OPERATIONS

9 TECHNICAL SERVICES

9.1 Review Groper Creek Road/Woods Road Intersection

Executive Summary

Report on the review of the Groper Creek Road/ Woods Road Intersection as requested by Council on 10 October 2017.

Recommendation

That Council resolves to receive the report.

Resolution

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

CARRIED

9.2 Recommended Speed - Groper Creek Road/Woods Road Intersection

Resolution

Moved Councillor Woods, seconded Councillor Perry that Council forwards the information from the review of the Groper Creek Road/Woods Road Intersection to the Road Safety Advisory Committee for it to recommend an appropriate speed environment to be adopted at that intersection.

CARRIED

11 COMMUNITY DEVELOPMENT

12 ECONOMIC DEVELOPMENT

13 NOTICES OF MOTION

13.1 Food Business Licence - Renewal

Recommendation

That Council approves the following fee in respect of the 2018-19 Fees and Charges:

FOOD BUSINESS LICENCE

Annual Food Business Licence (new and renewal)

Additional fee for premises with non-potable water to cover water sample (microbiological only) \$90.00 (inc. GST)

Resolution

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

CARRIED

14 CORRESPONDENCE FOR INFORMATION

14.1 Consideration of a Regional Solution to Waste Management

Resolution

Moved Councillor Liessmann, seconded Councillor Perry that the CEO corresponds with the Secretary of the Northern Alliance of Councils Inc to consider including an agenda item at the 2018 Conference relating to waste recycling and future issues with the management of waste.

CARRIED

14.2 First Five Program Funding

Resolution

Moved Councillor Liessmann, seconded Councillor Perry that Council submits a motion to the Northern Alliance of Councils Inc 2018 Conference requesting the State Government continue funding for the State Libraries' First Five Forever Program.

CARRIED

15 GENERAL BUSINESS

15.1 Proposed Natural Disaster Resilience Program - Funding Application - Installation of 5 Upgraded Flood Reporting Gauges - Burdekin River

Recommendation

That Council submits an application under the Queensland Reconstruction Authority's Natural Disaster Resilience Program for the installation of five upgraded flood reporting gauges at Burdekin Falls Dam, Inkerman Bridge, Clare, Dalbeg and Myuna (as recommended in the Bureau of Meteorology's Burdekin Shire Council Network Investment Plan) and that Council contribute an amount of \$50,000 towards the total estimated cost of \$270,000.

Resolution

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

CARRIED

15.2 Illegal Parking of Vehicles on Footpaths

Resolution

Moved Councillor Woods, seconded Councillor Liessmann that the matter in relation to vehicles being illegally parked on footpaths be referred to the Road Safety Advisory Committee for further discussion and recommendations for addressing the matter.

CARRIED

15.3 Festival of Small Halls

Councillor Woods raised the issue of possible participation in the Festival of Small Halls in 2018, with the Giru Hall as a possible location. It was agreed to refer this matter to the Manager Cultural Venues to seek further information on the costs of conducting an event.

16 CLOSED MEETING ITEMS

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

Resolution

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

- 275(1)(b) industrial matters affecting employees;
- 275(1)(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

For the purpose of discussing:

1. Auction for the Sale of Land for Rate Arrears.
2. Burdekin Shire Council Certified Agreement 2018.

CARRIED

4:55pm – Councillor Woods left the meeting.

Council Meeting opened to Public

Resolution

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

CARRIED

5:05pm – Councillor Bawden left the meeting prior to discussion of the recommendation for item 16.1.

16.1 Burdekin Shire Council Certified Agreement 2018

Executive Summary

The Council commenced negotiations for a new enterprise bargaining certified agreement in May 2017. The negotiations with the Unions have been protracted and conciliation meetings between the parties were conducted by Commissioner Thompson of the QIRC in November 2017 and February 2018.

A draft certified agreement has been prepared to distribute to employees following agreement from the Unions for this to occur. A workforce vote will be conducted during May on the draft agreement.

Resolution

Moved Councillor Goddard, seconded Councillor Bonanno that Council receives the report from the CEO on the progress of enterprise bargaining negotiations and endorses the proposed Burdekin Shire Council Certified Agreement 2018.

FOR: Councillors Bonanno, Goddard, McLaughlin and Perry.

AGAINST: Councillor Liessmann (abstained from voting, therefore, it is taken in the negative).

4/1

CARRIED

17 DELEGATIONS

There being no further business the meeting closed at 5:15pm.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 8 May 2018.

MAYOR

