



Burdekin Shire Council

AGENDA

ORDINARY COUNCIL MEETING

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

on 27 November 2018

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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Burdekin Shire Council

TUESDAY 27 NOVEMBER 2018

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1 PRAYER

2 DECLARATIONS OF INTEREST

3 MINUTES AND BUSINESS ARISING

3.1 Ordinary Council Meeting Minutes - 13 November 2018

Recommendation

That the minutes of the Ordinary Council Meeting held on 13 November 2018 be received and confirmed.



Burdekin Shire Council

MINUTES

ORDINARY COUNCIL MEETING

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

on 13 November 2018

COMMENCING AT 9:00AM



Burdekin Shire Council

TUESDAY 13 NOVEMBER 2018

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Ordinary Council Meeting 13 November 2018



Burdekin Shire Council

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ATTENDANCE

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

Mr. T. Brennan - Chief Executive Officer

Mr. N. Wellwood – Director of Infrastructure, Planning and Environmental Services

Mr. D. Mulcahy – Manager Environmental and Health Services (part of meeting)

Minutes Clerk – Mrs. S. Saunders

Apologies: Councillors E.J. Bawden and J.F. Woods (Approved Leave of Absence) and Mr. N. O'Connor – Director Corporate and Community Services

1 PRAYER

The meeting prayer was delivered by Pastor Gavin Henderson of the Presbyterian Church.

2 DECLARATIONS OF INTEREST

The Mayor called for declarations of interest.

Councillors McLaughlin and Bonanno declared a perceived Conflict of Interest relating to Closed Item 17 - Discussion on Ayr Aerodrome Electrical Upgrade Project Variations, as the contractor for the works is a close family friend.

Councillors McLaughlin and Bonanno advised of their intention to leave the room during discussion of this item.

3 MINUTES AND BUSINESS ARISING

3.1 Ordinary Council Meeting Minutes - 23 October 2018

Recommendation

That the minutes of the Ordinary Council Meeting held on 23 October 2018 be received and confirmed.

Resolution

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

CARRIED

3.2 Burdekin Senior Advisory Group Meeting Minutes - 10 October 2018

Recommendation

That the minutes of the Burdekin Senior Advisory Group Meeting held on 10 October 2018 be received and adopted.

Resolution

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

CARRIED

3.3 Burdekin Shire Youth Council Meeting Minutes - 15 October 2018

Recommendation

That the minutes of the Burdekin Shire Youth Council Meeting held on 15 October 2018 be received and adopted.

Resolution

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

CARRIED

4 REPORTS

4.1 Council Workshops - October 2018

Executive Summary

The Council conducted workshops during the past month on 2 and 16 October 2018 with a range of policy and operational issues discussed.

A brief summary of the items discussed at the workshops are contained in the report.

Recommendation

That the report on the Council workshops held on 2 and 16 October 2018 be received and noted.

Resolution

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

CARRIED

5 GOVERNANCE

6 ENVIRONMENTAL AND HEALTH SERVICES

7 CLIENT SERVICES

8 FINANCIAL & ADMINISTRATIVE SERVICES

9 OPERATIONS

10 TECHNICAL SERVICES

11 PLANNING & DEVELOPMENT

12 COMMUNITY DEVELOPMENT

12.1 Adoption of Ayr Showgrounds Master Plan

Executive Summary

The Ayr Showgrounds is located at the northern outskirts of the town of Ayr and hosts the annual Burdekin Show as well as other miscellaneous events. The venue is characterised by aging infrastructure (excluding the newly constructed multi-purpose building) and requires a vision and master plan so that public funds are spent wisely and the potential of the area can be met.

CPR Group was engaged to prepare the Master Plan for the Ayr Showgrounds. Following extensive public consultation with the public and Council, the final Master Plan has been submitted for adoption by Council.

Key comments from the consultants are reproduced in this report to give a background and guidance to the implementation of the Master Plan.

Recommendation

That Council:

- A. receives the Ayr Showgrounds Master Plan as submitted by CPR Group on 17 July 2018;
- B. notes that the recommendations in the plan are intended as a guide and do not represent an automatic commitment from the Council to fund proposed improvements, works or upgrades;
- C. adopts the following recommendations in principle:
 - 1. Endorse the Ayr Showgrounds Master Plan as a planning tool to guide further detailed planning for the staged development of the Ayr Showgrounds;
 - 2. Actively pursue external funding for the implementation of the master plan, subject to sufficient community demand;
 - 3. Implement the facility developments and upgrades recommended in the master plan as resources, external funding opportunities and user group investments permit;
 - 4. Re-introduce a Council supported management body to oversee the ongoing management of the Ayr Showgrounds. This group should:
 - a. Assist in the delivery of the identified improvements to the site and the longer-term capital works;
 - b. Work with Council and key community groups in strategizing and promoting new and existing user group initiatives for the site;
 - c. Meet on a regular basis and report progress to Council;
 - d. Manage bookings for the grounds and buildings and maintain the facilities and equipment on the site as necessary;
 - e. Arrange and attend one annual meeting involving Burdekin Shire Council staff and representatives of each lessee/user group to review the site's master plan and to address the overall operation of the site;
 - 5. Provide ongoing technology, marketing and governance support for the managing body, with links to local and regional tourism organisations and plans, including sport and recreation plans; and
 - 6. Develop a revitalisation and marketing strategy for the annual show and new events and activities at the showgrounds;

Noting that implementation of recommendation C4, C5 and C6 will require further discussions with the Ayr Pastoral, Agricultural and Industrial Association Inc.

Resolution

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

FOR: Councillors Perry, Goddard, Liessmann and McLaughlin

AGAINST: Councillor Bonanno

4/1

CARRIED

Noting amendments to the Recommendation with additional wording to Item C. – in principle, C.4.b – new and existing user groups, and C.5 – including sport and recreation plans.

13 ECONOMIC DEVELOPMENT

14 NOTICES OF MOTION

15 CORRESPONDENCE FOR INFORMATION

15.1 Seeking Upgrade of Lights and Increase in Amount of Christmas Decorations - Home Hill Comfort Stop - Home Hill Chamber of Commerce Inc.

Summary

Home Hill Chamber of Commerce Inc. has contacted Council seeking an upgrade of lights at the Home Hill Comfort Stop. They have requested a change from white to colour lights at the front and back of the comfort stop.

They have also requested an increase in the amount of Christmas Decorations at the Home Hill Comfort Stop for the Christmas period.

Resolution

Moved Councillor Perry, seconded Councillor Bonanno that Council support the Home Hill Chamber of Commerce Inc. request for an upgrade in the number of decorative lights and increase in the amount of Christmas Decorations at the Home Hill Comfort Stop.

CARRIED

16 GENERAL BUSINESS

16.1 Request to Enhance Signage at Front of Council Chambers

Councillor Liessmann requested that Council Officers investigate the provision of enhanced directional signage at the front of the Council Chambers when large numbers of people are expected to attend a meeting.

16.2 Acknowledgement - Home Hill Harvest Festival Committee and Councillor Woods - Home Hill Harvest Festival

Councillor Goddard acknowledged the good work of Councillor Woods and the Home Hill Harvest Festival Committee on the successful staging of the Home Hill Harvest Festival.

16.3 Request - Change of Queen Street Fountain Water Colour to Orange - International Day for the Elimination of Violence against Women to Human Rights Day - Zonta Club of Burdekin Inc.

Resolution

Moved Councillor Perry, seconded Councillor Goddard that Council supports the Zonta Club of Burdekin during the 16 days of Activism against Gender-Based Violence by changing the colour of the water in the Queen Street Fountain, Ayr to orange from 25 November 2018 to 10 December 2018 to raise awareness of Domestic and Family Violence.

CARRIED

16.4 Request for Permit to Occupy over Lot 4 USL35647 and Lot 173 GS455

Executive Summary

P and M Frasson have made contact with the Council in relation to the possible leasing or provision of a Permit to Occupy over land described as Lot 4 USL35647 and Lot 173 GS455 situated on the river side of the Ayr Dalbeg Road.

It is noted that Frasson's have an existing Term Lease for grazing purposes with DNRME over Lot 174 GS952 and Lot 223 GS952, which is located immediately to the north of Lot 4.

The Frasson's had also been in contact with the Department of Natural Resources Mines and Energy for the purpose of obtaining the necessary permits over the above lots. A plan attached shows the location of the lots.

Council approval is required in respect of Lot 173 for the Frasson's to proceed to obtain a Permit to Occupy from DNRME.

Part of Lot 173 was a site for a legacy landfill.

Resolution

Moved Councillor Liessmann, seconded Councillor Perry that Council offers no objection to P and M Frasson obtaining a Permit to Occupy over Lot 4 USL35647 and Lot 173 GS455 for the purposes of grazing subject to the following conditions to pertain to Lot 173:

- That filling of larger sink holes be undertaken by the Permittee with imported clean fill;
- No excavations be undertaken on the land;
- No drawing of water be undertaken on the land;
- Council Officers be allowed to undertake biennial inspections of Lot 173;
- That adequate fencing is installed in accordance with the Local Law requirements of the Council; and
- The Permittee indemnifies and agrees to keep indemnified the Council against all actions, suits, proceedings, claims, demands, costs, losses, damages and expenses ("Claim") arising out of or in any way connected to or resulting from the granting of the Permit or which is connected to or resulting from the Permittee's use and occupation of the land, save to the extent that the Claim arises as a result of any negligent act or omission of the Council.

It is further recommended that the Council agrees to request the Department of Natural Resources Mines and Energy (DNRME) to consider the application under the Land Act for the following reasons:

- Applications of this type are traditionally administered by the Department.
- Council resources are not sufficient to take on additional leasing functions.
- The applicant has an existing term lease with the Department and consistency of the administering agency would be of benefit to the applicant.

CARRIED

16.5 QBSC/18/034 - Supply and Installation of Replacement Playground Equipment - Alva Beach Park

Executive Summary

Council invited quotations via Local Buy Vendor Panel for QBSC/18/034 – Supply and Installation of replacement Playground Equipment Alva Beach Park closing at 12 noon on 1 October, 2018. Quotations were received from Imagination Play, Urban Play Pty Ltd, Willplay Pty Ltd and Big Splash Enterprises with eleven options offered for consideration.

All options tendered by suppliers at the time of closing were workshopped with the Burdekin Shire Youth Council at their meeting on 15 October, 2018. The Youth Council identified three of the options and listed them in order of preference for further consideration by Council.

The outcome of the consultation with the Youth Council and an overview of options received by suppliers were presented to Council at a workshop on 6 November, 2018.

Resolution

Moved Councillor Liessmann, seconded Councillor Goddard that Council accepts Option1 as proposed by Willplay Pty Ltd for QBSC/18/034 – Supply and Installation of replacement Playground Equipment Alva Beach Park at tendered price of \$82,689.42 including GST.

CARRIED

10:00am – Break for Morning Tea

10:15am – Meeting Resumed

16.6 Approval - Two Concept Drawings and Quotations for Murals - Works for Queensland 2 - Home Hill

Resolution

Moved Councillor Liessmann, seconded Councillor Goddard that Council approve two concept drawings and quotations for murals, as submitted by Mr. John Bradshaw, with expenditure from Works for Queensland 2 allocation, as follows:

1. Installation of mural, depicting Burdekin Burning Man and cane fire, on building situated at 92-98 Eighth Avenue, Home Hill (approval provided by owner) as submitted by Mr. John Bradshaw for a cost of \$12,927.50 (GST not applicable);

and

2. Installation of mural depicting female portrait and local horticultural produce, on building situated at 116 – 120 Eighth Avenue, Home Hill (subject to approval from owner) as submitted by Mr. John Bradshaw for a cost of \$10,387 (GST not applicable).

CARRIED

17 CLOSED MEETING ITEMS

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

Resolution

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

- 275(1)(c) the local government's budget; and
- 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. Ayr Aerodrome Electrical Upgrade Project - Finalisation of Contract Variations

CARRIED

Councillors Bonanno and McLaughlin left the meeting during the Closed Meeting Item, Ayr Aerodrome Electrical Upgrade Project - Finalisation of Contract Variations, due to perceived Conflict of Interest considerations as disclosed at the start of the meeting.

Councillor Perry assumed the Chair in the absence of the Mayor and Deputy Chair, as per the vote conducted by the remaining Councillors.

Council Meeting opened to Public

Resolution

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

CARRIED

17.1 Ayr Aerodrome Electrical Upgrade Project - Finalisation of Contract Variations

Executive Summary

The contract for the upgrade of the electrical capacity at the Ayr Aerodrome was awarded on 27 March 2018. The project was completed in August 2018. Variations covering contractual and non-contractual matters were approved by management and were included in the contract payments.

Resolution

Moved Councillor Liessmann, seconded Councillor Goddard that Council:

1. Endorses management's actions in approving variations to a total of \$49,116-00 to the approved contract for QBSC/18/009 – Ayr Aerodrome - Electrical Upgrade – Stage 1 Works;
2. Approves to provide a 2018-19 budget allocation of \$154,000 for the works.

CARRIED

Councillors Bonanno and McLaughlin returned to the meeting and Councillor McLaughlin resumed the Chair.

18 DELEGATIONS

There being no further business the meeting closed at 10:35am.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 27 November 2018.

MAYOR

3.2 Local Disaster Management Group Meeting Minutes - 26 October 2018

Recommendation

That the minutes of the Local Disaster Management Group Meeting held on 26 October 2018 be received and confirmed.

Burdekin Shire Council
Minutes - Local Disaster Management Group Meeting
Held on 26 October 2018 at 12:05pm

Attendance

Core Members

| | | |
|--------------------------------------|---|--|
| Cr Lyn McLaughlin | Mayor - Chairperson | Burdekin Shire Council |
| Ms. Eileen Robinson | Local Disaster Coordinator | Burdekin Shire Council |
| Mr. Shane Great | Deputy Local Disaster Coordinator | Burdekin Shire Council |
| Mr. Kevin Byers (part of meeting) | Manager Technical Services | Burdekin Shire Council |
| Ms. Linda Govan | Coordinator Environment and Health | Burdekin Shire Council |
| Mr. Nick Wellwood | Director Infrastructure, Planning and Environmental Services | Burdekin Shire Council |
| Ms. Debra Cochran | Welfare – Chief Executive Officer | Burdekin Community Association |
| Mr. Andy Pethybridge | Emergency Management Coordinator | Queensland Fire and Emergency Services |
| Snr. Sgt. Steve Barton | Officer in Charge | Queensland Police Service - Ayr |
| Mr. Robert Sutcliffe | Local Controller | State Emergency Service |

Core Members Apologies

NIL

Advisors

| | | |
|------------------------|---|--|
| Mr. Terry Brennan | Chief Executive Officer | Burdekin Shire Council |
| Mr. Nick O'Connor | Director Corporate and Community Services | Burdekin Shire Council |
| Mr. Warren Francis | Disaster Management Officer | Burdekin Shire Council |
| Mr. Bradley Hutchinson | Safety and Productivity Coordinator | Burdekin Shire Council |
| Mrs. Colleen Harris | HSE Initiatives Support Officer | Energy Queensland |
| Mr. Kevin Trueman | Station Officer | Queensland Fire and Emergency Services |
| Mr. Stephen Knight | Area Commander | Queensland Fire and Emergency Services |
| Mr. Jason Robertson | Office in Charge (Acting) | Queensland Police Service – Home Hill |
| Mr. John Winn | Deputy Local Controller | State Emergency Service |
| Mr. Vince Papale | Member | Volunteer Marine Rescue - Burdekin |
| Mr. Lionel Tappenden | Member | Volunteer Marine Rescue - Burdekin |

Advisors Apologies

| | | |
|---------------------|---|---|
| Mrs. Paula Tapiolas | Chief of Staff – North Queensland | ABC Radio |
| Mr. Arjon Cheema | Local Emergency Liaison Officer | Australian Red Cross |
| Mrs. Rebecca Grogan | Service Coordinator | Burdekin Centre for Rural Health |
| Cr John Woods | Councillor – Deputy Chairperson | Burdekin Shire Council |
| Mr. Daniel Mulcahy | Manager Environmental and Health Services | Burdekin Shire Council |
| Mrs. Janai Giddy | Deputy Disaster Management Officer | Burdekin Shire Council |
| Ms. Sharon Galeano | Senior Advisor | Department of Communities, Disability Services and Seniors |
| Mr. Andrew Thomas | Manager – Delivery and Operations | Department of Transport and Main Roads |
| Mr. Mark Biffanti | Area Manager | Energy Queensland |
| Mr. Matthew Oar | Work Group Leader | Energy Queensland |

| | | |
|------------------------|--|---------------------------------------|
| Mr. Jim Collins | Manager | Lower Burdekin Home for the Aged |
| Mrs. Deana Murray | Workplace Health and Safety Officer | Lower Burdekin Home for the Aged |
| Mr. George Christensen | Member for Dawson | Member of Parliament |
| Mr. Dale Last | Member for Burdekin | Member of Parliament |
| Mr. Robert Katter | Federal Member for Kennedy | Member of Parliament |
| Mr. Marcello Massi | North Queensland Manager | NBN |
| Mrs. Tracey Gabiola | Director of Nursing (Acting) | Queensland Health - Ayr |
| Snr. Stg. Brenton Webb | Executive Officer – District Disaster Management Group | Queensland Police Service |
| Sgt. Steve Wilson | Officer in Charge | Queensland Police Service – Home Hill |
| Mr. Michael Thompson | Area Commander | Rural Fire Service |
| Mr. David Hayes | Service Manager | Sunwater |
| Mr. James Stuart | Emergency Management Coordinator | Sunwater |

Minutes Clerk – Ms. Kara Flanagan

1. Minutes of the Burdekin Shire Council Local Disaster Management Group Meeting held on 20 April 2018

1.1 Moved Ms. Debra Cochran, seconded Ms. Linda Govan that the minutes of the Burdekin Shire Council Local Disaster Management Group Meeting held on 14 September 2018 be received as a true and correct record.

CARRIED

2. Business Arising out of Minutes

NIL

3. Correspondence for Information

3.1 Bureau of Meteorology - Flood Warning Consultative Committee Meeting

Mr. Kevin Byers and Mr. Gary Keane from Burdekin Shire Council attended the Flood Warning Consultative Committee Meeting in Townsville on 16 October 2018.

4. LDMG Survey Results

4.1 Ms. Robinson reported that 20 survey responses showed that 70% of LDMG members preferred meetings be held on a Friday with 60% also preferring 12pm. Therefore, LDMG meetings will continue as scheduled at 12pm on the third Friday of every month, unless otherwise notified.

5. Agency Reports

5.1 Mr. Robert Sutcliffe – State Emergency Service (SES)

- Ongoing training – servicing flood boats, chainsaws and generators.
- SES Week commenced on Saturday 20 October and will run through until Sunday 29 October 2018. The water in the Queen Street Fountain, Ayr has been changed to orange in recognition of the dedication and commitment of SES members and the community services they provide.
- Cr. McLaughlin and Ms. Robinson attended the SES Week Awards Presentation in Townsville on Saturday 20 October 2018 where four Burdekin SES members were recognised for their periods of service to the Queensland SES. John George, Mario Vardanega, Barbara Beckett and Robert Sutcliffe each received a Meritorious Medal clasp. Robert Sutcliffe also received a National Medal clasp for 35 years of ongoing diligent service. Ayr SES Group member Bradley Hutchinson received an SES Week Award for his special contribution to the organisation through his outstanding work, dedication and strong moral character.

5.2 Mr. Vince Papale – Volunteer Marine Rescue (VMR)

- Mr. Campbell Darby will be visiting and meeting with squadron members on 4 November 2018 as part of a review into statewide operations.
- VMR have received notice that they have been successful in receiving funding from George Christensen's office for a communications upgrade.
- Mr. Papale is now the State Vice President of the Marine Rescue Organisation of Queensland.

5.3 Mrs. Colleen Harris – Energy Queensland

- The Critical Infrastructure Review of electricity feeders and assets as supplied by community and Council, is continuing.
- Line inspections are continuing across the state.
- The Bushfire Risk Management Plan, Summer Preparedness Plan and Flood Risk Management Plan have all been placed on the Energy Queensland website.
- Community messaging now includes the new 'Take Care. Stay Line Aware' campaign across all media. This replaces the 'Look up and Live' campaign as not all lines are visible.
- Energex and Ergon Energy are aligning with the AIIMS system.

5.4 Mr. Nick Wellwood – Burdekin Shire Council

- Due to the detection of PFAS, Council has had to turn off a further two bores. Arrangements have been made to supplement the water supply from Conlan Street to the bypass through Council's water treatment facility with those works to be finished in late November.
- Water pressures through the town have dropped slightly due to the loss of the two bores, however they remain above the minimum fire-fighting pressure level.

5.5 Mr. Andy Pethybridge – Queensland Fire and Emergency Services

- Refer to Attachments 1, 2 and 3.

6. Get Ready Burdekin Update – Ms. Eileen Robinson

- A Disaster Management stall will be set up at the Home Hill Harvest Festival to promote the Emergency Dashboard and encourage disaster preparedness.
- Burdekin Shire Council's Disaster Management Officer and Media Officer are working together to produce regular media updates regarding the Get Ready message.
- 'Opt in' for the Emergency Dashboard is near completion. This service allows community members to 'opt in' to receive updates and alerts relevant to them.
- Cinema advertising focused around the Emergency Dashboard and "What's your 'What If' Plan?" will begin to be shown at the Burdekin Delta Cinemas from 1 December 2018 to 30 April 2019.
- Community survey continues, with the prize being a 2.0KvA generator for one participant. This will be drawn shortly after the Home Hill Harvest Festival.

7. Sub Plans

- LDMG Members' feedback regarding the Sub Plans has been taken on board and, as a result, minor amendments have occurred.
- Two further Sub Plans – Communication Sub Plan and Public Health Sub Plan - will be circulated with the Minutes for review.

8. Feedback – Risk Management Workshop

- Ms. Robinson thanked the LDMG members who had participated in the Risk Management Workshop.
- Feedback notes will be forwarded to Andy Pethybridge (QFES).
- All Action Items will be noted for further consideration and action.
- Minutes will be circulated to the broader LDMG Members for comment.

12:30pm – Mr. Kevin Byers entered the meeting.

9. Video Presentation – Queensland Tropical Cyclone Consultative Committee (QTCCC)

- Attendees watched the QTCCC Preseason Briefing video.

There being no further business the meeting closed at 12:57pm.

The next meeting will be held on Friday 23 November 2018 at 12:00pm.

CHAIRPERSON

3.3 RADF Minutes - 1 November 2018

Recommendation

That the minutes of the RADF Meeting held on 1 November 2018 be received and adopted.

Burdekin Shire Council

Minutes – RADF Advisory Group Meeting held on 1 November 2018

Held at Ernie Ford Board Room
The meeting commenced at 4:00pm

CLAUSE 1 ATTENDANCE

Cr U Liessmann – Chairman
Mr Tony Vaccaro – Manager Community Services
Mrs Mickey McKellar
Ms Erin Alloway
Mrs Treena List

Mrs Janice Horan – RADF Liaison Officer
Mr Nick O'Connor – Director Corporate and Community Services (in part)

Apologies:
Cr Lyn McLaughlin (Mayor)
Cr John Bonanno

CLAUSE 2 CONSIDERATION OF MURAL DESIGNS – HOME HILL

Cr Liessmann provided members with concept drawings for murals proposed to be installed in Home Hill utilising Works for Queensland funds. The concept drawings had been prepared by Mr John Bradshaw.

Cr Liessmann advised that a third mural proposed for installation at 30 Ninth Street, Home Hill is under development and will be submitted for consideration at a future meeting. It was noted that approval had been obtained from the owner for installation of a mural at this site.

It is recommended that the concept drawings and quotations, submitted by Mr John Bradshaw, as follows, be approved with expenditure from Works for Queensland 2 allocation:

1. Installation of mural, depicting Burdekin Man and Cane Fire, on building situated at 92 – 98 Eighth Avenue, Home Hill (approval provided by owner) as submitted by Mr John Bradshaw for a cost of \$12,927.50 (GST not applicable); and
 2. Installation of mural depicting female portrait and local horticultural produce, on building situated at 116 – 120 Eighth Avenue, Home Hill (subject to approval from owner) as submitted by Mr John Bradshaw for a cost of \$10,387 (GST not applicable).
-

CLAUSE 3 CONCEPT ARTWORK

Cr Liessmann provided concept drawings of sculpture artwork featuring the lettering “4806” for installation in Home Hill and “4807” for installation in Ayr, utilising Works for Queensland 2 funding. The proposed installations feature off-set 3.5 metre steel or aluminium sheeting in cut-out design. It was proposed that the lettering would be brightly coloured aluminium that swivel in the breeze.

Cr Liessmann undertook to further develop the concepts, including possible locations, for consideration at the next meeting.

CLAUSE 4**PROPOSED RE-DEVELOPMENT OF VISITOR INFORMATION CENTRE, AYR**

The meeting noted that the proposed re-development of the Visitor Information Centre at Plantation Park would necessitate the demolition of the existing Visitor Information Centre.

Mr O'Connor questioned whether this matter was within the RADF Committee's terms of reference.

The meeting discussed the history of the existing Visitor Information Centre and ways the existing building could be repurposed to maintain part of the Shire's history eg establishment of a display within the building of historical items and/or the interpretation of the James Morrill story.

The meeting requests that Council gives consideration to maintaining the existing Visitor Information Centre and repurpose the building to maintain part of the Shire's cultural history thereby providing another attraction to encourage tourists to stop in the district.

CLAUSE 5**REPORT ON ATTENDANCE AT ARTLANDS CONFERENCE**

Ms Alloway provided a written report on her attendance at the Artlands National Conference and Cr Liessmann and Mrs Horan provided verbal reports. The conference was held in Bendigo from 10 to 14 October 2018. All delegates reported their attendance was positive and rewarding and that conference presentations and experiences provided ideas to share with Burdekin community groups and Council representatives.

There being no further business, the meeting closed at 6-00pm.

Cr U Liessmann
CHAIRMAN

3.4 Burdekin Shire Youth Council Meeting Minutes - 5 November 2018

Recommendation

That the minutes of the Burdekin Shire Youth Council Meeting held on 5 November 2018 be received and adopted.

Burdekin Shire Council

Minutes – Burdekin Shire Youth Council Meeting held on 5 November 2018

Held at Burdekin Shire Council Chambers
The meeting commenced at 3:30pm

CLAUSE 1 ATTENDANCE

Sarah McDonnell – Youth Mayor
Taryn Delle Baite – Deputy Youth Mayor
Emily Holmes – Secretary
Alexa Mann – Burdekin Catholic High School
Amaya Castrejana – Burdekin Catholic High School
Alyssia Guy – Burdekin Catholic High School
Harrison Hickmott – Burdekin Catholic High School
Jessica Cox – Burdekin Catholic High School
Lanita Goos – Burdekin Catholic High School
Samantha Ness – Ayr State High School
Zavier Wood – Ayr State High School

Tammy Quagliata - Burdekin Shire Council
Cr. Lyn McLaughlin – Mayor, Burdekin Shire Council

Apologies for Absence

Amy Langdon – Burdekin Catholic High School

CLAUSE 2 MINUTES RECEIVED

Moved Amaya Castrejana, seconded Taryn Delle Baite that the Minutes of the Burdekin Shire Youth Council Meeting held on 15 October 2018 be received.

CARRIED

CLAUSE 3 BUSINESS ARISING FROM THE MINUTES

1. Tammy Quagliata advised that Seven local news reported on Youth Council's involvement in Operation Christmas Child, which was aired on Wednesday 24 October. Tammy congratulated members on their involvement in this project in 2018.
 2. Mayor, Lyn McLaughlin advised that she would follow up with Council officers regarding the parking and traffic discussions held at the previous meeting from Burdekin Catholic High School students.
 3. Tammy Quagliata advised that the 'Guess the Lolly Jar' competition raised \$157 for the Daniel Morcombe Foundation as part of Day for Daniel. Members were congratulated on their efforts for fundraising within their schools. The winning entry with 212 lollies was Kathy Cortabitarte from Burdekin Shire Council.
-

CLAUSE 4 CORRESPONDENCE

INWARD CORRESPONDENCE

1. Queensland Government – The Qld Youth Strategy creates opportunities for young people to participate in decision making that will affect their lives now and in the future. To have your say head to www.qld.gov.au/youth/be-involved-have-your-say/qld-youth strategy. NOTE: Link was emailed to members.
2. Young Achiever Awards – Seeking nominations for young Queenslanders up to and including 29 years of age for the Seven news Young Achiever Awards. There are 8 categories to nominate up to \$18,000 in cash and prizes. NOTE: Link was emailed to members.

OUTWARD CORRESPONDENCE:

NIL

Moved Lanita Goos, seconded Alyssia Guy that the inward correspondence be received and the outward adopted.

CARRIED

CLAUSE 5 INVOLVEMENT IN 2018 BURDEKIN COMMUNITY CHRISTMAS CAROLS – SUNDAY 9 DECEMBER AT WATSON'S GREEN, HOME HILL

Tammy Quagliata provided details on the 2018 Burdekin Community Christmas Carols to be held on Sunday 9 December at Watson's Green, Home Hill. Youth Council members were invited to assist with the Lantern Parade and handing out Santa gifts at the event. Details of the event will be emailed to members to RSVP.

CLAUSE 6 DISCUSSIONS RE: YOUTH COUNCIL CHRISTMAS BREAK-UP

Members agreed that the preferred dates for the Christmas Break-up at Burdekin Bowl were December 1 and December 15 from 12pm to 2pm. Tammy undertook to liaise with the Burdekin Bowl and sent an invitation to members.

Members were encouraged to bring 1 or 2 friends along to the event, who may be keen to join the Burdekin Shire Youth Council in 2019. Members also agreed to take part in Secret Santa.

CLAUSE 7 DISCUSSIONS RE: WORKSHOP OPTIONS FROM THEATRE INQ

Tammy Quagliata advised that she had recently been contacted by TheatreINQ Townsville, who were currently offering performance and skills development workshops at discounted prices for 2019. It was noted that there is availability of some Youth Council budget to run these workshops for the public, if agreed.

A variety of workshop topics were discussed and members voted on their preferred topics. The top preferences included:

- Physical Theatre
- Clowning
- Voice for Performance
- Character Exploration

Tammy advised that she would be meeting with Arminelle Fleming from TheatreINQ in the coming days and would discuss options and propose these preferences.

CLAUSE 8 PRESENTATION OF BURDEKIN TOURISM STRATEGY

Economic Development Coordinator, Eliza Lovell, addressed the meeting and gave a presentation of Council's Burdekin Tourism Strategy. Following the presentation, members were asked to give consideration to the question 'What do you think will attract visitors to the Burdekin?', which would be the debate topic for the next meeting.

CLAUSE 8 OTHER GENERAL BUSINESS

- Sarah McDonnell advised that she has been asked to be a Youth Representative for the Burdekin Shire at Qld Youth Parliament in 2019. Members congratulated Sarah on this achievement.
 - Sarah McDonnell reported that Emily Holmes and herself recently attended the Lions Youth Film Festival held at the Burdekin Theatre. Sarah reported on the excellent calibre of the event and the short film entries. Both members enjoyed this experience.
 - Youth Council Members were given the opportunity to give an update on something happening within their schools, sporting club or community.
-

NEXT MEETING – Monday 3 December 2018 at 3:30pm

There being no further business, the meeting closed at 4:40pm.

Emily Holmes
SECRETARY

Meeting Minutes taken by Tammy Quagliata and Emily Holmes

3.5 Community Grants Panel Meeting Minutes - 8 November 2018

Recommendation

That the minutes of the Community Grants Panel Meeting held on 8 November 2018 be received and adopted.

Burdekin Shire Council

Minutes – Community Grants Program Panel Meeting held on 8 November 2018

Held at John Hy Peake Room

The meeting commenced at 12:20pm

CLAUSE 1

ATTENDANCE

Cr Lyn McLaughlin, Mayor
Mrs Laura Vidmar – Chairman
Cr John Bonanno
Mrs Janice Horan
Mrs Kiera Durrant
Mr Tano Buono
Mrs Rachel Messer – Minutes Clerk

Apology for Absence

Cr Uli Liessmann

CLAUSE 2

CONSIDERATION OF FUNDING APPLICATIONS RECEIVED IN THE JULY 2018 ROUND

| Applicant | Project | Requested Funding | Requested In-kind Support | Recommended Funding | Recommended In-kind Support |
|---|---|-------------------|---------------------------|---------------------|-----------------------------|
| Burdekin Brass Band | In recognition of the band's annual performances | \$3,000 | | \$3,000 | |
| Burdekin Art Society Inc | Towards the cost of the exhibition | \$3,620 | | \$2,000 | |
| Burdekin Junior Eisteddfod Inc | Towards the cost of hiring of the Burdekin Theatre | \$3,000 | | \$3,000 | |
| Burdekin Offroaders Inc | Towards the cost of advertising | \$2,500 | \$267.85 | \$2,500 | \$267.85 |
| Ayr Pastoral, Agricultural and Industrial Assoc | Towards the cost of advertising | \$4,609 | \$2,364.70 | \$1,570 | \$2,364.70 |
| Burdekin Race Club Inc | Towards the cost of hiring the toilets | \$5,000 | \$3,268.45 | \$5,000 | \$3,268.45 |
| Ayr Rotary Club | Towards the cost of running the Rotary Youth Driver Awareness Program | | \$458.20 | | \$458.20 |
| Burdekin Netball Association | Towards the cost of hiring equipment and trophies | \$3,545 | \$183.85 | \$3,000 | \$183.85 |
| Burdekin Junior Rugby League | Towards the cost of hosting the Shane Muspratt Cup | \$5,000 | \$438.55 | \$3,000 | \$438.55 |
| Burdekin Road Runners and Walkers | Towards the cost of the Sugar Rush event | \$1,500 | \$1,003.75 | \$1,500 | \$1,003.75 |
| TOTAL | | \$31,774 | \$7,985.35 | \$24,570 | \$7,985.35 |

Please Note: remaining balance for cash funds is \$13,580.

The meeting resolved to recommend funding of the Community Grants Program as listed above for Round 2 of the 2018/19 funding year.

There being no further business, the meeting closed at 2:30pm.

Mrs Laura Vidmar
CHAIRMAN

4 REPORTS

4.1 Financial Monthly Report for Period Ending 31 October 2018

Recommendation

That the Financial Monthly Report for Period Ending 31 October 2018 be received.

Financial Report - October 2018

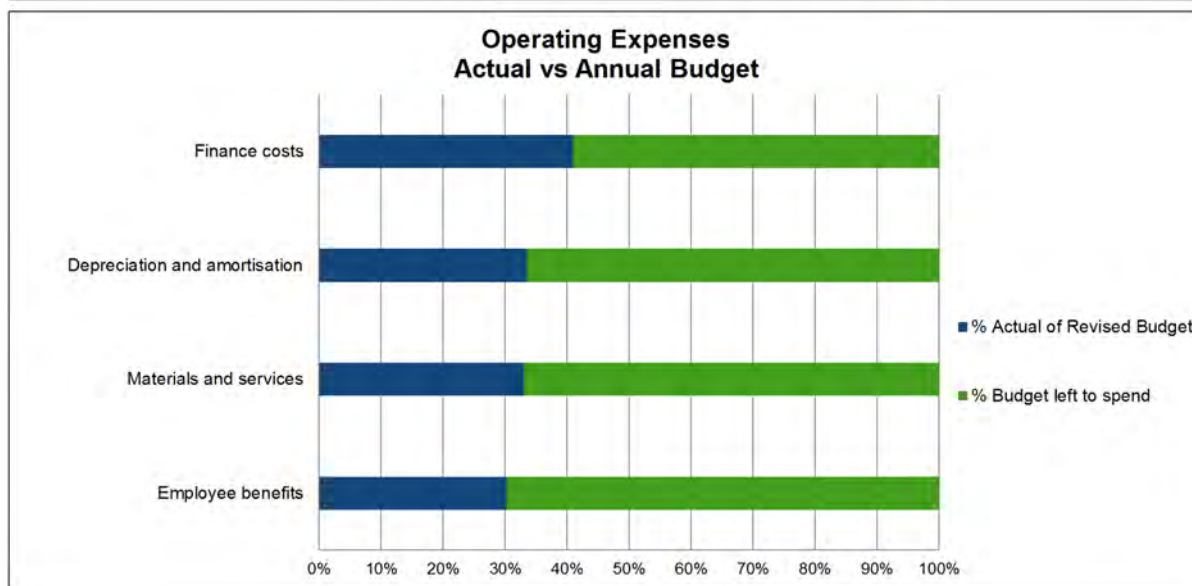
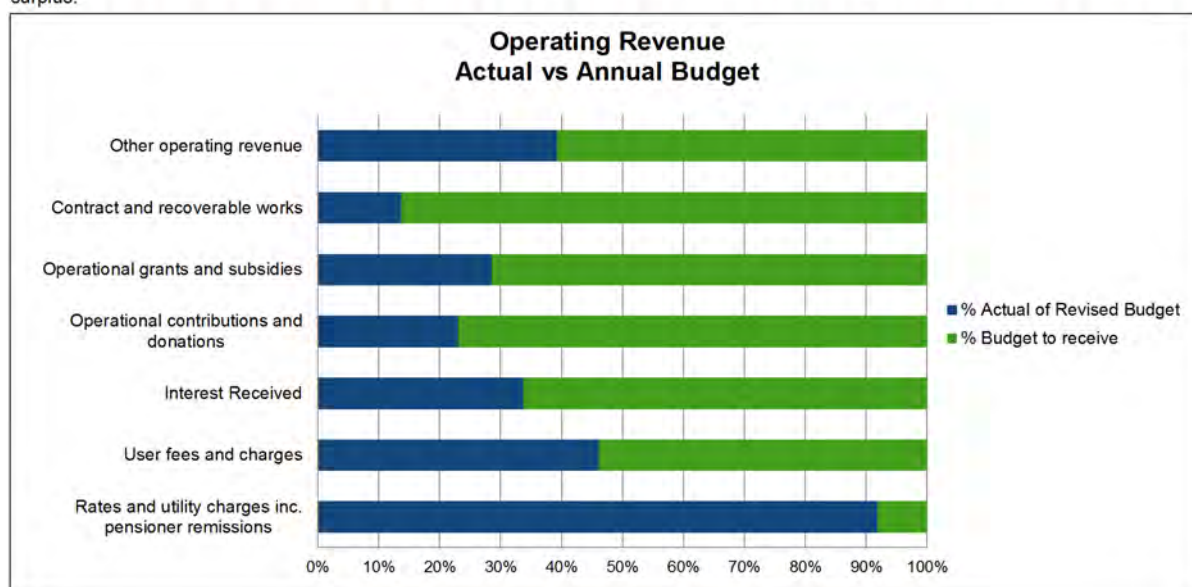
The following report provides a summary of Council's financial performance to 31 October 2018.

The first revised budget was adopted by Council on 23 October 2018. This report has been prepared using the first revised budget.

FINANCIAL STATEMENTS AT A GLANCE

| As at 31 October 2018 | Actual \$000 | Annual Budget \$000 | YTD Budget \$000 | \$ Variance YTD Actual to YTD Revised Budget | % Variance YTD Actual to YTD Revised Budget |
|---------------------------|-------------------|------------------------|---------------------|---|--|
| Total Operating Revenue | 38,439,931 | 47,535,223 | 40,824,754 | -2,384,823 | -6% |
| Total Operating Expenses | 15,547,477 | 48,645,210 | 16,816,396 | -1,268,919 | -8% |
| Operating Position | 22,892,454 | -1,109,987 | 24,008,358 | -1,115,904 | -5% |
| Capital Revenue | 72,982 | 4,825,668 | 5,170,075 | -5,097,093 | -99% |
| Net Result | 22,965,436 | 3,715,681 | 29,178,433 | -6,212,997 | -21% |

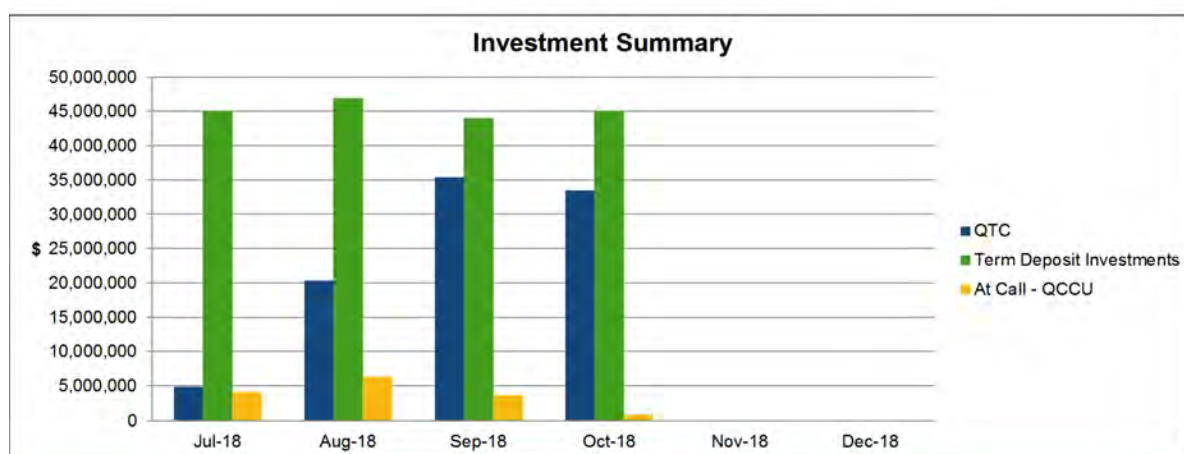
This report contains financial information for the period ending 31 October 2018. Council's operating position at month end is a \$22.9M surplus.



INVESTMENT PORTFOLIO

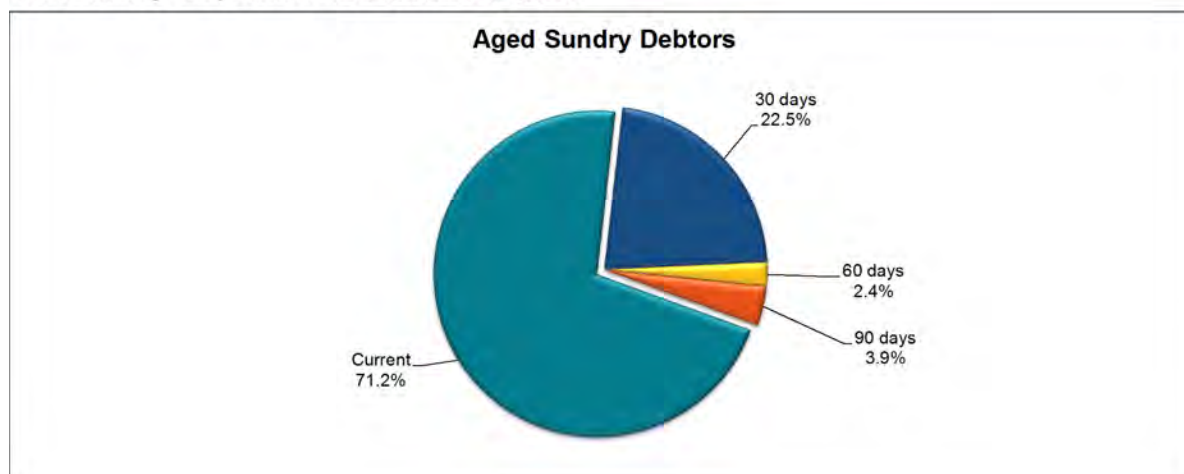
Investment Report as at 31 October 2018 (including at call cash)

| | Total Invested | Average Current Rate Weighted | % Invested |
|--------------------|---------------------|-------------------------------------|------------|
| Major Banks | | | |
| NAB | 17,000,000 | 2.71% | 21.4% |
| Westpac | 12,000,000 | 2.71% | 15.1% |
| Other | | | |
| Bendigo HH | 2,000,000 | 2.70% | 2.5% |
| ME Bank | 2,000,000 | 2.70% | 2.5% |
| QCCU | 6,000,000 | 2.78% | 7.6% |
| Suncorp | 6,000,000 | 2.70% | 7.6% |
| QTC | 33,530,471 | 2.69% | 42.2% |
| QCCU General | 846,415 | 2.80% | 1.1% |
| Total Funds | \$79,376,886 | | |



SUNDRY DEBTORS

Total outstanding Sundry Debtors as at 31 October are \$72,387.99

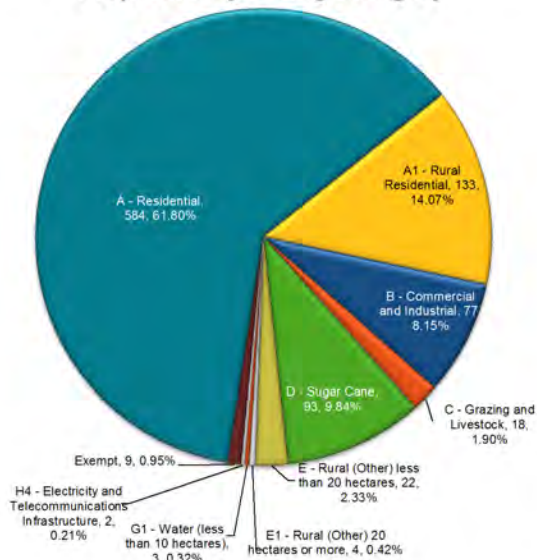


RATES

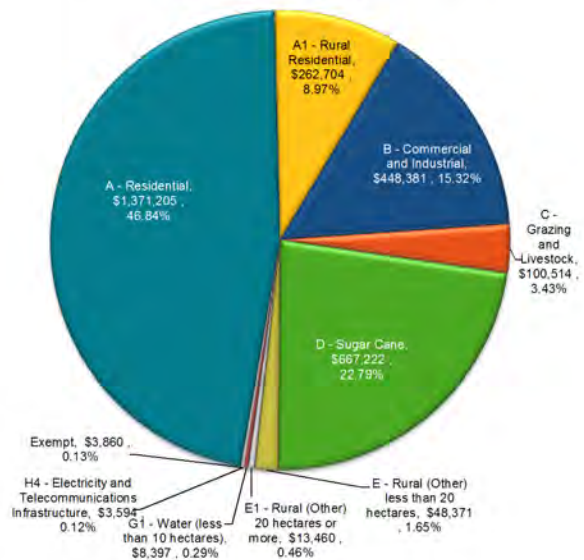
| | | |
|------------------------------------|------------------|---------------------|
| Arrears as at 1 July 2018 | | \$1,158,686 |
| Levy and fees raised * | \$40,709,668 | |
| Plus Interest charged * | \$84,156 | |
| Less Pensioner subsidy and rebate | <u>\$630,805</u> | <u>\$40,163,019</u> |
| Less Payments received | | <u>\$38,386,301</u> |
| Arrears as at 31 October 2018 | | <u>\$2,935,404</u> |
| % Arrears October 2018 | | 7.10% |
| % Arrears October 2017 | | 10.77% |
| Pre-payments as at 31 October 2018 | | \$377,628 |
| Pre-payments as at 31 October 2017 | | \$324,478 |

* includes State Govt Emergency Management Levy

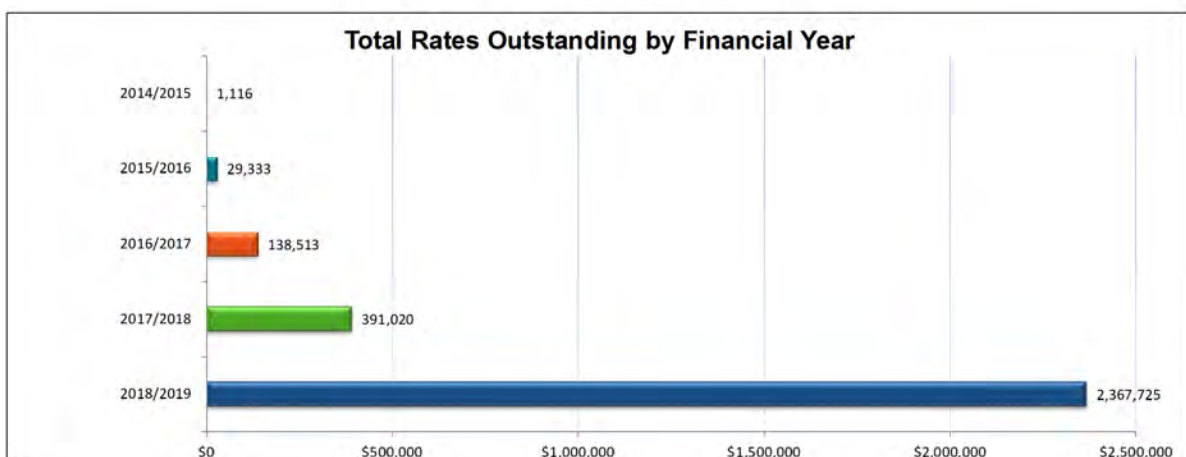
Number of Outstanding Rates Properties by Rating Category



\$ Value of Outstanding Rates by Rating Category



Total Rates Outstanding by Financial Year



Rates Debt Recovery

Collection House - Debt Referral

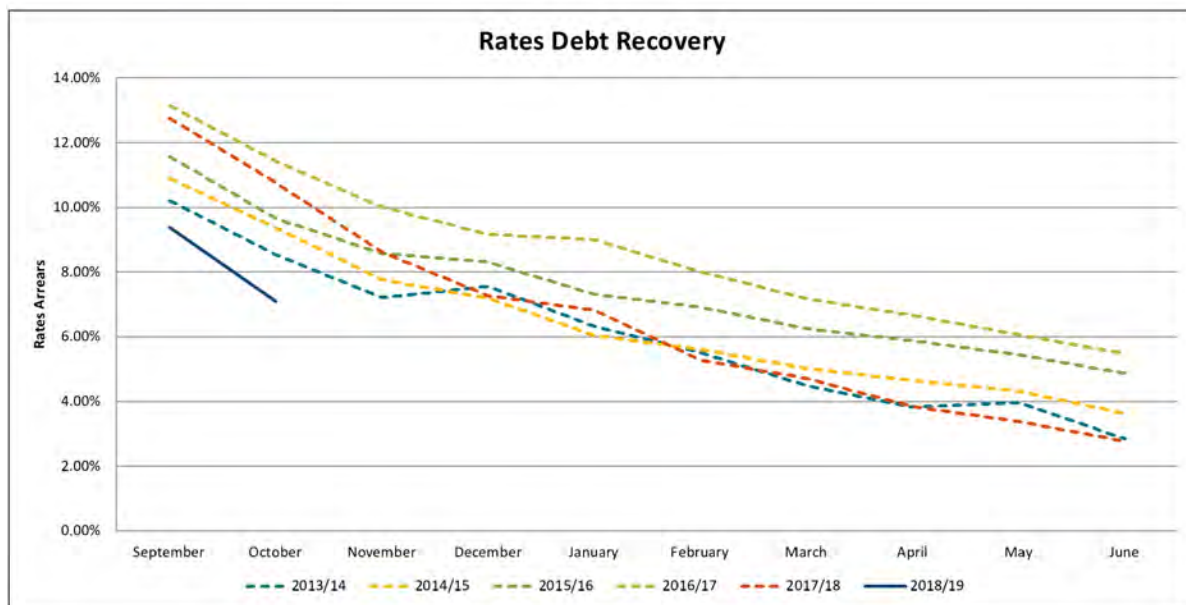
Council reviewed properties with overdue balances from the 2018/2019 Annual Levy and referred 364 new files to Collection House in October. Collection House continues to monitor ratepayers that were referred to them in the 2017/2018 financial year.

Collection House - Sale of Land

Collection House continues the Sale of Land process for two properties. During the month of October, a lump sum payment was received to clear in full the outstanding balance for one Sale of Land property.

Council Periodic Payment Plans

In addition to the properties referred to Collection House, there are 324 current periodic payment plans made directly with Council. These plans are continuing to be monitored by Rates Staff to ensure conformance.



OVERVIEW OF COUNCIL'S CAPITAL PROJECTS

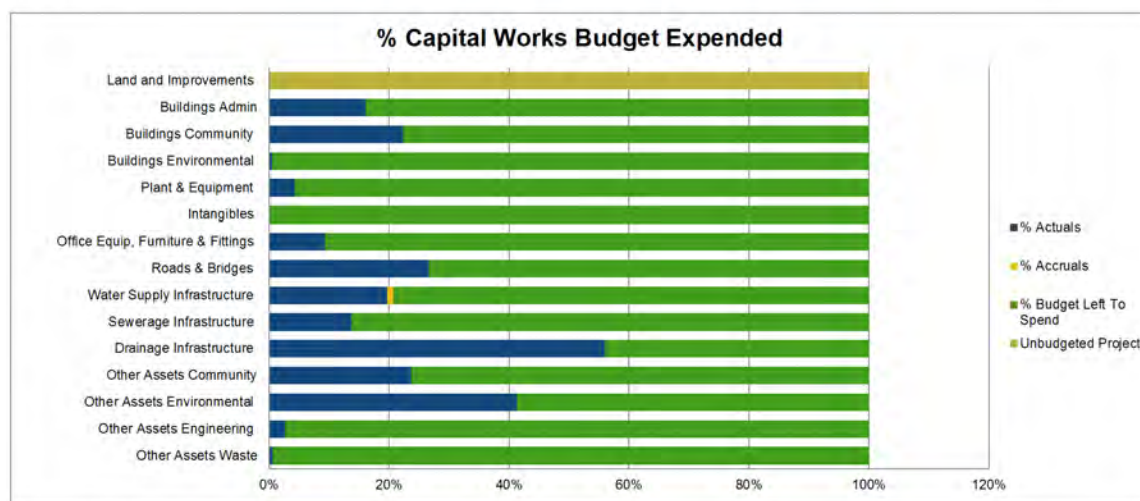
Capital expenditure incurred for the year to 31 October 2018, is shown by asset class in the table below.

Capital project expenditure to 31 October is \$4,571,961. In addition to this, there is \$29,538 in accruals. Therefore bringing the total capital expenditure to \$4,601,499.

Financial Overview by Asset Class

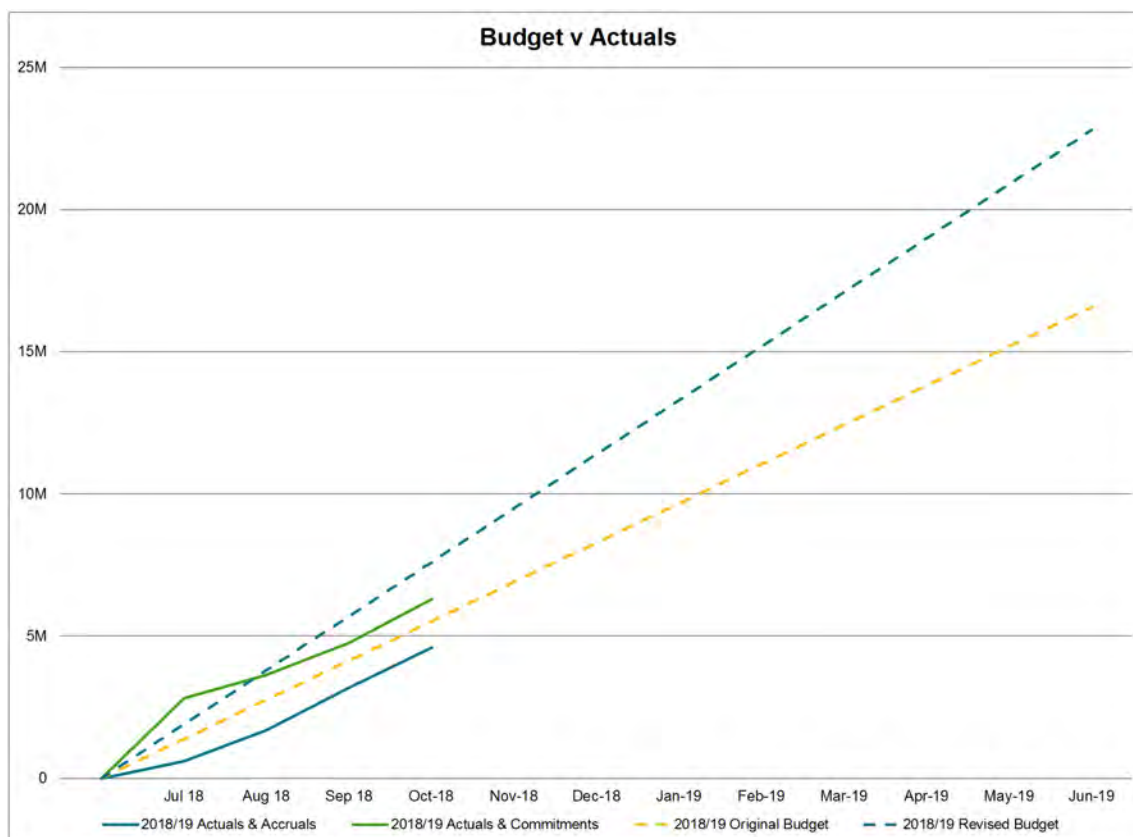
| Asset Class | Original Budget | Revised Budget | Actuals | Accruals | Total |
|--------------------------------------|----------------------|----------------------|---------------------|------------------|---------------------|
| Land and Improvements | \$ - | \$ - | \$ 162,336 | \$ - | \$ 162,336 |
| Buildings Admin | \$ 62,000 | \$ 213,000 | \$ 34,135 | \$ - | \$ 34,135 |
| Buildings Community | \$ 300,500 | \$ 248,100 | \$ 55,491 | \$ - | \$ 55,491 |
| Buildings Environmental | \$ 900,000 | \$ 2,827,348 | \$ 16,125 | \$ - | \$ 16,125 |
| Plant and Equipment | \$ 1,740,000 | \$ 1,940,000 | \$ 82,900 | \$ - | \$ 82,900 |
| Intangibles | \$ 143,000 | \$ 143,000 | \$ - | \$ - | \$ - |
| Office Equip, Furniture and Fittings | \$ 399,200 | \$ 389,200 | \$ 35,969 | \$ - | \$ 35,969 |
| Roads and Bridges | \$ 6,393,000 | \$ 7,644,842 | \$ 2,041,543 | \$ 9,650 | \$ 2,051,193 |
| Water Supply Infrastructure | \$ 1,355,950 | \$ 2,064,457 | \$ 406,349 | \$ 19,888 | \$ 426,237 |
| Sewerage Infrastructure | \$ 1,950,000 | \$ 2,107,072 | \$ 288,830 | \$ - | \$ 288,830 |
| Drainage Infrastructure | \$ 1,275,000 | \$ 1,739,515 | \$ 974,334 | \$ - | \$ 974,334 |
| Other Assets Community | \$ 130,000 | \$ 597,175 | \$ 141,491 | \$ - | \$ 141,491 |
| Other Assets Environmental | \$ 547,000 | \$ 768,590 | \$ 317,195 | \$ - | \$ 317,195 |
| Other Assets Engineering | \$ 45,000 | \$ 78,000 | \$ 2,043 | \$ - | \$ 2,043 |
| Other Assets Waste | \$ 1,334,000 | \$ 2,037,700 | \$ 13,220 | \$ - | \$ 13,220 |
| TOTAL | \$ 16,574,650 | \$ 22,797,999 | \$ 4,571,961 | \$ 29,538 | \$ 4,601,499 |

The below graph shows, by Asset Class, how much Council has spent (including accruals) on Capital Projects, compared to each budget.



Construction of a new combined green waste, steel pad and sediment pond at Kirknie Landfill has been budgeted for as 'Other Assets Waste'. Expenses for this project are currently sitting at 'Land and Improvements'. Therefore this asset class is showing as having unbudgeted expenditure due to the mismatch.

Extended information on individual projects has been provided to Council in a separate dashboard report.



Actuals and Accruals include payments made and materials/services received but not yet invoiced.

Actuals and Commitments include payments made, accrual transactions and purchase orders raised for materials/services not yet provided/supplied.

APPENDIX 1 - OPERATING STATEMENT BY MANAGER

Attached are the Operating Statement Reports by Manager - please refer to these report for individual comments.

APPENDIX 2 - TOTAL COUNCIL OPERATING STATEMENT

Attached is the Total Council Operating Statement for your information.

APPENDIX 3 - STATEMENT OF FINANCIAL POSITION

Attached is the Statement of Financial Position as at 31 October 2018.

APPENDIX 4 - STATEMENT OF CASH FLOWS

Attached is the Statement of Cash Flows for the period ending 31 October 2018.

OPERATING STATEMENT
Period Ending 31 October 2018

Chief Executive Officer

| | Month of October Actual | Year to Date Actual | Year To Date Revised Budget | \$ Variance YTD Actual to YTD Revised Budget | % Variance YTD Actual to YTD Revised Budget |
|--|-------------------------------|------------------------|-----------------------------------|---|--|
| Operating Revenue | | | | | |
| Operational contributions and donations | 130 | 265 | 0 | 265 | - |
| Operational grants and subsidies | 0 | 15,000 | 0 | 15,000 | - |
| Other operating revenue | 394 | 1,253 | 2,667 | -1,414 | -53% |
| Total operating revenue | 524 | 16,518 | 2,667 | 13,851 | 519% |
| Operating Expenses | | | | | |
| Employee benefits | 103,253 | 407,786 | 420,277 | -12,491 | -3% |
| Materials and services | 13,252 | 100,871 | 131,783 | -30,912 | -23% |
| Total operating costs | 116,505 | 508,657 | 552,060 | -43,403 | -8% |
| Surplus (deficit) from operating activities | -115,981 | -492,140 | -549,394 | 57,254 | -10% |
| Net result for period | -115,981 | -492,140 | -549,394 | 57,254 | -10% |

Comments

Operational grants and subsidies

Final grant funding received for Burdekin Tourism strategy following completion of strategy and its adoption by Council. Budget to be added in second revision.

Other operating revenue

Revenue from Industry Breakfast attendance fees, Visitor Information Centre takings and reimbursements received for CEO attendance at Local Government Mutual and Local Government Workcare Board Meetings. Year to date figure impacted by credit notes raised in July for Sweet Days Hot Nights festival sponsorship raised in error last financial year.

Materials and services

Currently under budget due to costs for tourism activities such as Australian Fishing Championships Barra Fishing competition sponsorship not yet paid, and timing of Sweet Days Hot Nights festival in later part of financial year.

OPERATING STATEMENT
Period Ending 31 October 2018

Director of Corporate & Community Services

| | Month of October Actual | Year to Date Actual | Year To Date Revised Budget | \$ Variance YTD Actual to YTD Revised Budget | % Variance YTD Actual to YTD Revised Budget |
|--|-------------------------------|------------------------|-----------------------------------|---|--|
| Operating Revenue | | | | | |
| User fees and charges | 5,299 | 41,600 | 47,004 | -5,404 | -11% |
| Operational contributions and donations | 0 | 6,031 | 6,500 | -469 | -7% |
| Operational grants and subsidies | 0 | 95,391 | 61,857 | 33,534 | 54% |
| Total operating revenue | 5,299 | 143,022 | 115,361 | 27,661 | 24% |
| Operating Expenses | | | | | |
| Employee benefits | 43,202 | 178,467 | 189,477 | -11,010 | -6% |
| Materials and services | 48,179 | 247,383 | 295,547 | -48,165 | -16% |
| Depreciation and amortisation | 91,943 | 364,878 | 365,718 | -840 | 0% |
| Total operating costs | 183,324 | 790,729 | 850,743 | -60,014 | -7% |
| Surplus (deficit) from operating activities | -178,025 | -647,707 | -735,382 | 87,675 | -12% |
| | | | | | |
| Capital grants and subsidies | 0 | 0 | 123,175 | -123,175 | -100% |
| Other capital income (expense) | 0 | -20,560 | -6,854 | -13,707 | 200% |
| Net result for period | -178,025 | -668,267 | -619,061 | -49,206 | 8% |

Comments

User fees and charges

Rental income is currently under budget due to timing of payments received and a vacant rental property. This is slightly offset by annual Aerodrome Facilitation Fees issued in July.

Operational contributions and donations

Under budget due to timing of quarterly contribution received for electricity at Home Hill Showgrounds.

Operational grants and subsidies

Currently over budget due to annual grant fund payment received for the PCYC. This was initially budgeted to receive in six-monthly instalments. Budget will be adjusted in the second revision.

Materials and services

Budget includes provision to engage Internal Audit services. Council is currently in the early stages of this process and is therefore currently under budget in this area. Also under budget for annual insurance premiums and electricity payments made to date.

Capital grants and subsidies

Works for Queensland 2017-19 grant for Ayr Showgrounds upgrade not yet received.

Other capital income (expense)

Loss on write off of Building assets following capitalisation of the replacement of roof resheeting at the Burdekin Memorial Hall, Brandon Railway Ticket Office and Ayr Showgrounds Building.

OPERATING STATEMENT
Period Ending 31 October 2018

Manager Client Services

| | Month of October Actual | Year to Date Actual | Year To Date Revised Budget | \$ Variance YTD Actual to YTD Revised Budget | % Variance YTD Actual to YTD Revised Budget |
|--|-------------------------------|------------------------|-----------------------------------|---|--|
| Operating Revenue | | | | | |
| Operational grants and subsidies | 0 | 11,358 | 12,540 | -1,182 | -9% |
| Other operating revenue | -272 | 6,955 | 13,354 | -6,399 | -48% |
| Total operating revenue | -272 | 18,313 | 25,894 | -7,581 | -29% |
| Operating Expenses | | | | | |
| Employee benefits | 148,979 | 625,651 | 989,087 | -363,436 | -37% |
| Materials and services | 69,651 | 205,570 | 260,833 | -55,264 | -21% |
| Total operating costs | 218,630 | 831,220 | 1,249,920 | -418,700 | -33% |
| Surplus (deficit) from operating activities | -218,901 | -812,908 | -1,224,026 | 411,119 | -34% |
| Net result for period | -218,901 | -812,908 | -1,224,026 | 411,119 | -34% |

Comments

Operational grants and subsidies

Grant funding received from Queensland Reconstruction Authority for Get Ready Burdekin grant.

Other operating revenue

Under budget due to Worker's Compensation income not yet received.

Employee benefits

This budget is for the staff wages within the Client Services department, as well as employee related costs for the whole organisation. Annual Leave is currently tracking at \$31,900 under budget however this is normal for this time of the year with the leave actuals expected to rise over the annual Christmas shutdown. Sick Leave is over budget \$45,800; this will be monitored and adjusted if required in the second budget revision. Statutory holidays are under budget however this is normal for this time of year due to most Statutory holidays falling in December/January and the first half of the calendar year. Customer Service is \$32,000 under budget due to staff secondments. This will be adjusted in the second budget revision.

Materials and services

ICT is currently under budget due to request for quotations being finalised or closing before Christmas. Training is under budget due to the timing of courses and availability of training providers and employee. This is slightly offset by HR section being over budget due to timing of engagement of consultants.

OPERATING STATEMENT
Period Ending 31 October 2018

Manager Community Services

| | Month of October Actual | Year to Date Actual | Year To Date Revised Budget | \$ Variance YTD Actual to YTD Revised Budget | % Variance YTD Actual to YTD Revised Budget |
|--|-------------------------------|------------------------|-----------------------------------|---|--|
| Operating Revenue | | | | | |
| User fees and charges | 10,711 | 53,334 | 67,000 | -13,666 | -20% |
| Operational contributions and donations | 0 | 40 | 0 | 40 | - |
| Operational grants and subsidies | 1,500 | 12,000 | 15,667 | -3,667 | -23% |
| Other operating revenue | 11,828 | 39,779 | 26,583 | 13,196 | 50% |
| Total operating revenue | 24,039 | 105,154 | 109,250 | -4,097 | -4% |
| Operating Expenses | | | | | |
| Employee benefits | 126,794 | 525,475 | 539,402 | -13,927 | -3% |
| Materials and services | 70,567 | 537,996 | 510,005 | 27,991 | 5% |
| Depreciation and amortisation | 10,272 | 40,757 | 41,038 | -281 | -1% |
| Total operating costs | 207,634 | 1,104,229 | 1,090,445 | 13,784 | 1% |
| Surplus (deficit) from operating activities | -183,594 | -999,076 | -981,195 | -17,881 | 2% |
| Capital grants and subsidies | 0 | 21,878 | 80,000 | -58,122 | -73% |
| Net result for period | -183,594 | -977,198 | -901,195 | -76,003 | 8% |

Comments

User fees and charges

This income is variable monthly as it includes the hire of the Burdekin Theatre and Burdekin Memorial Hall, and Library internet and photocopying fees. Currently under budget for Burdekin Theatre and Burdekin Memorial Hall hire.

Operational grants and subsidies

Grant funds received for STEM Ideas@108 Project and NAIDOC week. Budget has been spread evenly over 12 months. Currently under budget due to library grant funding not yet received.

Other operating revenue

This income is variable monthly as it includes ticket sales for theatre promotions and theatre bar takings. Currently ahead of budget for theatre promotion ticket sales.

Materials and services

Over year to date budget due to annual donations and standing donations for sewerage charges to community groups being paid, as well as deposits on numerous theatre shows to be held later in the financial year.

Capital grants and subsidies

First Quarter of 2018/19 State Library Grant has been received in September.

OPERATING STATEMENT
Period Ending 31 October 2018

Manager Financial and Administrative Services

| | Month of October Actual | Year to Date Actual | Year To Date Revised Budget | \$ Variance YTD Actual to YTD Revised Budget | % Variance YTD Actual to YTD Revised Budget |
|--|-------------------------------|------------------------|-----------------------------------|---|--|
| Operating Revenue | | | | | |
| Rates and Utility Charges | -5 | 25,095,657 | 27,145,117 | -2,049,460 | -8% |
| Pensioner remissions | 507 | -314,910 | -104,667 | -210,243 | 201% |
| User fees and charges | 1,365 | 29,073 | 32,567 | -3,494 | -11% |
| Interest Received | 67,920 | 211,140 | 198,200 | 12,940 | 7% |
| Operational grants and subsidies | 78,000 | 395,372 | 434,091 | -38,719 | -9% |
| Other operating revenue | 27 | 86 | 35,667 | -35,580 | -100% |
| Total operating revenue | 147,815 | 25,416,418 | 27,740,974 | -2,324,556 | -8% |
| Operating Expenses | | | | | |
| Employee benefits | 122,797 | 577,474 | 599,178 | -21,704 | -4% |
| Materials and services | 113,921 | 991,657 | 687,757 | 303,900 | 44% |
| Depreciation and amortisation | 48,505 | 191,154 | 190,956 | 198 | 0% |
| Finance Costs | 17,158 | 88,310 | 76,790 | 11,520 | 15% |
| Total operating costs | 302,381 | 1,848,596 | 1,554,681 | 293,915 | 19% |
| Surplus (deficit) from operating activities | -154,566 | 23,567,822 | 26,186,293 | -2,618,471 | -10% |
| Capital grants and subsidies | 0 | 0 | 28,326 | -28,326 | -100% |
| Other capital income (expense) | -55 | -55 | 0 | -55 | - |
| Net result for period | -154,621 | 23,567,768 | 26,214,620 | -2,646,852 | -10% |

Comments

Rates and Utility Charges

At the end of the financial year, rates in advance revenue of approximately \$2 million will be recognised.

Pensioner Remissions

Pensioner Remissions for this financial year have been received in full. Currently over year to date budget, due to the budget split equally over 12 months.

User fees and charges

Under budget due to timing of change of ownership fees. These have been captured in the supplementary rates run in November.

Interest Received

Ahead of year to date budget due to interest received from rates. This will further align to budget as overdue rates are paid through the year.

Operational grants and subsidies

Currently under budget due to Works for Queensland payments not yet received. Grant funds received so far this year are the first quarter of the 2018/19 Financial Assistance Grant and Skilling Queenslanders for Work - First Start Program.

Other operating revenue

Fire Levy Collection Fee will be received in November, as this was originally budgeted to be received in October this is showing as under budget.

Materials and services

Over year to date budget due to annual payments for IT Software maintenance contracts paid in full.

Finance Costs

Over year to date budget due to increased bank fees during the rating season.

Capital grants and subsidies

Under budget due to outstanding Works for Queensland payment.

OPERATING STATEMENT
Period Ending 31 October 2018

Manager Environmental & Health Services excluding Waste Program

| | Month of October Actual | Year to Date Actual | Year To Date Revised Budget | \$ Variance YTD Actual to YTD Revised Budget | % Variance YTD Actual to YTD Revised Budget |
|--|-------------------------------|------------------------|-----------------------------------|---|--|
| Operating Revenue | | | | | |
| Rates and Utility Charges | 0 | 88,205 | 88,590 | -385 | 0% |
| User fees and charges | 63,824 | 380,366 | 318,658 | 61,708 | 19% |
| Operational contributions and donations | 5,951 | 21,445 | 48,000 | -26,555 | -55% |
| Other operating revenue | 1,095 | 6,475 | 2,167 | 4,309 | 199% |
| Total operating revenue | 70,869 | 496,491 | 457,415 | 39,076 | 9% |
| Operating Expenses | | | | | |
| Employee benefits | 104,279 | 464,982 | 488,571 | -23,589 | -5% |
| Materials and services | 140,158 | 436,978 | 515,269 | -78,291 | -15% |
| Depreciation and amortisation | 24,510 | 97,250 | 97,249 | 1 | 0% |
| Total operating costs | 268,947 | 999,210 | 1,101,089 | -101,879 | -9% |
| Surplus (deficit) from operating activities | -198,078 | -502,719 | -643,674 | 140,955 | -22% |
| Net result for period | -198,078 | -502,719 | -643,674 | 140,955 | -22% |

Comments

User fees and charges

Caravan Parks income above budget due to seasonal variations.

Operational contributions and donations

Herbicide subsidy contributions below budgeted rate.

Other operating revenue

Caravan Park incidental income above year to date budget due to seasonal variability. Unbudgeted minor income for sale of abandoned cars has been received.

Employee benefits

Higher than normal proportion of sick and annual leave taken in Health Administration area.

Materials and services

Currently under budget for chemical and contractor payments relating to the pool, as well as chemicals for land protection.

OPERATING STATEMENT
Period Ending 31 October 2018

Manager Environmental & Health Services - Waste Program

| | Month of October Actual | Year to Date Actual | Year To Date Revised Budget | \$ Variance YTD Actual to YTD Revised Budget | % Variance YTD Actual to YTD Revised Budget |
|--|-------------------------------|------------------------|-----------------------------------|---|--|
| Operating Revenue | | | | | |
| Rates and Utility Charges | -14 | 3,960,614 | 3,960,668 | -54 | 0% |
| User fees and charges | 26,276 | 91,174 | 101,667 | -10,492 | -10% |
| Interest Received | 18,072 | 56,519 | 58,100 | -1,581 | -3% |
| Other operating revenue | 24,468 | 34,116 | 22,383 | 11,733 | 52% |
| Total operating revenue | 68,802 | 4,142,423 | 4,142,818 | -395 | 0% |
| Operating Expenses | | | | | |
| Employee benefits | 69,339 | 242,400 | 237,187 | 5,213 | 2% |
| Materials and services | 404,790 | 640,198 | 644,517 | -4,319 | -1% |
| Depreciation and amortisation | 27,380 | 108,636 | 108,710 | -74 | 0% |
| Finance Costs | 0 | 3,380 | 3,380 | 0 | 0% |
| Total operating costs | 501,509 | 994,615 | 993,794 | 820 | 0% |
| Surplus (deficit) from operating activities | -432,707 | 3,147,809 | 3,149,024 | -1,215 | 0% |
| Capital grants and subsidies | 0 | 0 | 178,700 | -178,700 | -100% |
| Net result for period | -432,707 | 3,147,809 | 3,327,724 | -179,915 | -5% |

Comments

User fees and charges

Waste accounts for October to be issued in November.

Other operating revenue

Income received from sale of second hand goods at transfer stations and drumMUSTER processing cost recovery. Ahead of budget for scrap metal income.

Capital grants and subsidies

Works for Queensland 2017-19 grant for Home Hill Transfer Station upgrade not yet received.

OPERATING STATEMENT
Period Ending 31 October 2018

Manager Operations - General Fund

| | Month of October Actual | Year to Date Actual | Year To Date Revised Budget | \$ Variance YTD Actual to YTD Revised Budget | % Variance YTD Actual to YTD Revised Budget |
|--|-------------------------------|------------------------|-----------------------------------|---|--|
| Operating Revenue | | | | | |
| User fees and charges | 16,664 | 44,708 | 42,800 | 1,908 | 4% |
| Operational contributions and donations | 581 | 22,330 | 22,933 | -604 | -3% |
| Operational grants and subsidies | 381 | 199,745 | 117,000 | 82,745 | 71% |
| Contract and recoverable works | -1,443 | 5,987 | 17,050 | -11,063 | -65% |
| Other operating revenue | 166 | 909 | 0 | 909 | - |
| Total operating revenue | 16,348 | 273,678 | 199,783 | 73,894 | 37% |
| Operating Expenses | | | | | |
| Employee benefits | 267,861 | 1,415,143 | 1,637,986 | -222,843 | -14% |
| Materials and services | 224,808 | 1,218,888 | 1,505,887 | -287,000 | -19% |
| Depreciation and amortisation | 58,946 | 232,054 | 230,711 | 1,343 | 1% |
| Total operating costs | 551,616 | 2,866,084 | 3,374,584 | -508,500 | -15% |
| Surplus (deficit) from operating activities | -535,268 | -2,592,407 | -3,174,801 | 582,394 | -18% |
| | | | | | |
| Capital contributions | 0 | 2,090 | 0 | 2,090 | - |
| Capital grants and subsidies | 0 | 450,000 | 2,116,993 | -1,666,993 | -79% |
| Other capital income (expense) | -5,626 | -59,543 | -17,973 | -41,571 | 231% |
| Net result for period | -540,894 | -2,199,860 | -1,075,781 | -1,124,080 | 104% |

Comments

User fees and charges

Revenue received from cemetery operations in the period has brought revenue from user fees and charges in line with year to date expectations.

Operational grants and subsidies

Revenue is made up of \$106,500 Federal Assistance Grant Monies received in first quarter 2018/19 financial year and \$10,500 first payment of Anzac Centenary Spirit of Service Grant for Home Hill RSL Cenotaph Upgrade. Variance is due to receipt of \$82,360 Queensland Reconstruction Authority payment for recovery of emergent works expenditure March 2018 flooding - this was initially budgeted to be received later in the year.

Contract and recoverable works

Revenue stream is variable throughout the year with forecast total revenue based on historical annual actuals. Recovery of costs in replacing damaged water meters, clean up and asset replacement costs following vehicle accidents and hire of streetsweeper are typical activities in this area. A credit note was issued in October for an invoice raised to the incorrect party. The correct invoice was raised in November.

Other operating revenue

Typical activities captured in this revenue stream are the annual BSRIT Engineering Retainer, scrap metal sales and recoveries of Wilmar contributions for electricity to streetlighting near tramway crossings. Revenue forecast is based on historical annual actuals and is sporadic across the budget cycle. Limited revenue received year to date.

Employee benefits

Under budget in Parks Administration and Parks Operations due to unfilled vacancies. Currently over budget in road maintenance however this is matched by value of wages currently under budget in drainage maintenance reflecting seasonal variability of maintenance activities.

Materials and services

Currently under budget in Parks Operations, Roads Maintenance, Drainage Maintenance and Recoverable Works. Slightly over year to date budget in Streetlighting and Depot Operations. Overall tracking under budget on year to date balance but expenditure is variable month to month in most areas due in part to seasonal factors.

Capital contributions

Monies received from Home Hill Rotary Club as contribution to Mount Inkerman Picnic Shelter.

Capital grants and subsidies

\$450,000 payment received from State Government as 30% upfront contribution to Plantation Park Nature Based Playground.

Other capital income (expense)

Expenses are for write off of Playground Equipment at Dalbeg and a shelter from Arch Dunn Park, Home Hill.

OPERATING STATEMENT
Period Ending 31 October 2018

Manager Operations - Water

| | Month of October Actual | Year to Date Actual | Year To Date Revised Budget | \$ Variance YTD Actual to YTD Revised Budget | % Variance YTD Actual to YTD Revised Budget |
|--|-------------------------------|------------------------|-----------------------------------|---|--|
| Operating Revenue | | | | | |
| Rates and Utility Charges | 0 | 3,010,448 | 3,018,619 | -8,171 | 0% |
| Pensioner remissions | 27 | -156 | 0 | -156 | - |
| User fees and charges | 10,968 | 31,577 | 29,400 | 2,177 | 7% |
| Interest Received | 33,452 | 107,057 | 109,100 | -2,043 | -2% |
| Operational contributions and donations | 0 | 0 | 2,000 | -2,000 | -100% |
| Other operating revenue | 2,020 | 2,020 | 400 | 1,620 | 405% |
| Total operating revenue | 46,468 | 3,150,947 | 3,159,519 | -8,572 | 0% |
| Operating Expenses | | | | | |
| Employee benefits | 79,135 | 329,655 | 367,578 | -37,923 | -10% |
| Materials and services | 312,409 | 697,628 | 797,217 | -99,589 | -12% |
| Depreciation and amortisation | 48,896 | 194,006 | 195,990 | -1,984 | -1% |
| Total operating costs | 440,439 | 1,221,289 | 1,360,785 | -139,496 | -10% |
| Surplus (deficit) from operating activities | -393,972 | 1,929,658 | 1,798,734 | 130,924 | 7% |
| Capital grants and subsidies | 0 | 0 | 327,570 | -327,570 | -100% |
| Net result for period | -393,972 | 1,929,658 | 2,126,304 | -196,646 | -9% |

Comments

User fees and charges

Rental income received from lease payments by telecommunications providers co-located on the Ayr Water Tower. Other revenue is received from sale of bulk water from filling stations.

Operational contributions and donations

Dependant on income received from developer infrastructure charges for connection to water supply. Revenue forecast is based on historical averages. No activity so far this financial year.

Other operating revenue

Minor revenue stream for collection of refundable deposits for water filling station keys and other miscellaneous activities. Income in the period is from hire of a metered standpipe and receipt of deposit for water filling station key from Home Hill Boat Club.

Employee benefits

Currently under budget water reticulation and property meters. Capital project activities associated with the South Ayr Diversion Pipeline have reduced year to date operational wages.

Materials and services

A committal of \$71,256 for first quarter payment of Townsville City Council charges for Giru Water is yet to be processed which will reduce the variance in this area.

Capital grants and subsidies

Annual budget is for Local Government Grants and Subsidies Program grant for Home Hill Water Tower Switchboard.

OPERATING STATEMENT
Period Ending 31 October 2018

Manager Operations - Sewerage

| | Month of October Actual | Year to Date Actual | Year To Date Revised Budget | \$ Variance YTD Actual to YTD Revised Budget | % Variance YTD Actual to YTD Revised Budget |
|--|-------------------------------|------------------------|-----------------------------------|---|--|
| Operating Revenue | | | | | |
| Rates and Utility Charges | 0 | 3,990,799 | 3,990,800 | -1 | 0% |
| Pensioner remissions | 32 | -187 | 0 | -187 | - |
| User fees and charges | 0 | 0 | 800 | -800 | -100% |
| Interest Received | 45,103 | 143,620 | 145,700 | -2,080 | -1% |
| Operational contributions and donations | 0 | 0 | 2,500 | -2,500 | -100% |
| Other operating revenue | 0 | 0 | 400 | -400 | -100% |
| Total operating revenue | 45,135 | 4,134,232 | 4,140,200 | -5,968 | 0% |
| Operating Expenses | | | | | |
| Employee benefits | 103,703 | 420,244 | 430,967 | -10,723 | -2% |
| Materials and services | 100,503 | 336,339 | 383,117 | -46,777 | -12% |
| Depreciation and amortisation | 104,880 | 416,095 | 415,704 | 391 | 0% |
| Total operating costs | 309,086 | 1,172,678 | 1,229,788 | -57,110 | -5% |
| Surplus (deficit) from operating activities | -263,950 | 2,961,554 | 2,910,412 | 51,142 | 2% |
| | | | | | |
| Capital grants and subsidies | 0 | 0 | 409,600 | -409,600 | -100% |
| Other capital income (expense) | -28,580 | -32,786 | -1,402 | -31,384 | 2239% |
| Net result for period | -292,531 | 2,928,768 | 3,318,610 | -389,842 | -12% |

Comments

User fees and charges

Minor revenue stream from miscellaneous charges and sales. Estimate is based on historic annual averages. No revenue received so far this financial year.

Operational contributions and donations

Dependant on income received from developer infrastructure charges for connection to sewerage network. Revenue forecast is based on historical averages. No revenue received so far this financial year.

Other operating revenue

Revenue is from sales of used chemical drums. No revenue received this financial year.

Materials and services

Under budget sewerage treatment chemicals year to date and electricity charges not levied at 31 October.

Capital grants and subsidies

Budget is constituted of \$124,000 Maturing the Infrastructure Pipeline Program grant for Design of Macro Algal Bioremediation Facility and \$285,600 LGSSP grant for Sewerage Pump Station Switchboard Replacement Program. No grant funding has been received so far this year.

Other capital income (expense)

Expenses in October are for the write off two Sewerage Pump Station switchboards as part of the replacement program.

OPERATING STATEMENT
Period Ending 31 October 2018

Manager Planning and Development

| | Month of October Actual | Year to Date Actual | Year To Date Revised Budget | \$ Variance YTD Actual to YTD Revised Budget | % Variance YTD Actual to YTD Revised Budget |
|--|-------------------------------|------------------------|-----------------------------------|---|--|
| Operating Revenue | | | | | |
| User fees and charges | 30,283 | 120,860 | 108,333 | 12,527 | 12% |
| Operational grants and subsidies | 0 | 44,633 | 44,633 | 0 | 0% |
| Other operating revenue | 78 | 168 | 0 | 168 | - |
| Total operating revenue | 30,361 | 165,662 | 152,966 | 12,695 | 8% |
| Operating Expenses | | | | | |
| Employee benefits | 84,089 | 356,191 | 370,882 | -14,691 | -4% |
| Materials and services | 82,851 | 180,179 | 102,307 | 77,872 | 76% |
| Total operating costs | 166,941 | 536,370 | 473,189 | 63,181 | 13% |
| Surplus (deficit) from operating activities | -136,580 | -370,708 | -320,223 | -50,485 | 16% |
| Net result for period | -136,580 | -370,708 | -320,223 | -50,485 | 16% |

Comments

User fees and charges

Revenue higher than budget due to an increase in Town Planning Assessable Development - Operational Works application fees received.

Materials and services

Year to date expenditure includes consultancy services for Planning Scheme drafting and Industrial Estate masterplanning. Variance will be amended in second revised budget and funded using the Strategic Projects Fund.

OPERATING STATEMENT
Period Ending 31 October 2018

Manager Technical Services

| | Month of October Actual | Year to Date Actual | Year To Date Revised Budget | \$ Variance YTD Actual to YTD Revised Budget | % Variance YTD Actual to YTD Revised Budget |
|--|-------------------------------|------------------------|-----------------------------------|---|--|
| Operating Revenue | | | | | |
| User fees and charges | 13,148 | 102,604 | 83,160 | 19,444 | 23% |
| Operational grants and subsidies | 9,033 | 30,894 | 35,000 | -4,106 | -12% |
| Contract and recoverable works | 33,346 | 240,253 | 459,746 | -219,494 | -48% |
| Other operating revenue | 0 | 3,324 | 0 | 3,324 | - |
| Total operating revenue | 55,527 | 377,074 | 577,906 | -200,832 | -35% |
| Operating Expenses | | | | | |
| Employee benefits | 206,583 | 794,769 | 907,281 | -112,512 | -12% |
| Materials and services | -47,152 | -311,065 | -114,500 | -196,565 | 172% |
| Depreciation and amortisation | 551,685 | 2,190,096 | 2,192,537 | -2,441 | 0% |
| Total operating costs | 711,116 | 2,673,800 | 2,985,318 | -311,518 | -10% |
| Surplus (deficit) from operating activities | -655,589 | -2,296,726 | -2,407,412 | 110,686 | -5% |
| Capital contributions | 0 | 1,708 | 0 | 1,708 | - |
| Capital grants and subsidies | 0 | 481,985 | 2,108,918 | -1,626,933 | -77% |
| Other capital income (expense) | -246,153 | -771,735 | -176,979 | -594,756 | 336% |
| Net result for period | -901,742 | -2,584,767 | -475,473 | -2,109,295 | 444% |

Comments

User fees and charges

Increased septage income from solar farm and external contractors.

Operational grants and subsidies

October fuel tax credits to be received in November.

Contract and recoverable works

Currently under budget in relation to funds received as part of the Roads Maintenance Performance Contract. Large claim to be raised in November in relation to work undertaken in October.

Other operating revenue

Unbudgeted Fuel Subsidy received through insurance provider.

Employee benefits

Under budget due to staff vacancies in the Technical Services Section.

Materials and services

Under budget due to savings in fleet management and delay in expenditure for Roads Maintenance Performance Contract projects.

Capital contributions

Contribution for vehicle accessory.

Capital grants and subsidies

Grants not yet received for Works for Queensland 2017-19, Building our Regions, Roads to Recovery, and the Cycle Network Local Government Grants Program. Grant funding received to date is for flood gauge upgrades and the Transport Infrastructure Development Scheme.

Other capital income (expense)

Write-offs associated with disposal of transport assets.

**BURDEKIN SHIRE COUNCIL
OPERATING STATEMENT
Period Ending 31 October 2018**

| | Month of October Actual | Year to Date Actual | Revised Budget | Year to Date Revised Budget | \$ Variance YTD Actual to YTD Revised Budget | % Variance YTD Actual to YTD Revised Budget |
|--|-------------------------------|------------------------|-------------------|-----------------------------------|---|--|
| Operating Revenue | | | | | | |
| Rates and Utility Charges | -19 | 36,145,723 | 39,303,794 | 38,203,794 | -2,058,071 | -5% |
| Pensioner remissions | 566 | -315,252 | -314,000 | -104,667 | -210,586 | 201% |
| User fees and charges | 178,537 | 895,297 | 1,942,570 | 831,389 | 63,908 | 8% |
| Interest Received | 164,548 | 518,336 | 1,533,300 | 511,100 | 7,236 | 1% |
| Operational contributions and donations | 6,662 | 50,110 | 217,522 | 81,933 | -31,823 | -39% |
| Operational grants and subsidies | 88,914 | 804,392 | 2,816,116 | 720,787 | 83,604 | 12% |
| Contract and recoverable works | 31,903 | 246,239 | 1,793,600 | 476,796 | -230,557 | -48% |
| Other operating revenue | 39,805 | 95,086 | 242,321 | 103,621 | -8,535 | -8% |
| Total operating revenue | 510,916 | 38,439,931 | 47,535,223 | 40,824,754 | -2,384,823 | -6% |
| Operating Expenses | | | | | | |
| Employee benefits | 1,460,015 | 6,338,238 | 20,978,873 | 7,177,873 | -839,635 | -12% |
| Materials and services | 1,533,936 | 5,282,622 | 15,993,738 | 5,719,741 | -437,118 | -8% |
| Depreciation and amortisation | 967,018 | 3,834,926 | 11,448,989 | 3,838,613 | -3,687 | 0% |
| Finance Costs | 17,158 | 91,691 | 223,610 | 80,170 | 11,521 | 14% |
| | 0 | 0 | 0 | 0 | 0 | - |
| Total operating costs | 3,978,127 | 15,547,477 | 48,645,210 | 16,816,396 | -1,268,919 | -8% |
| Surplus (deficit) from operating activities | -3,467,211 | 22,892,454 | -1,109,987 | 24,008,358 | -1,115,904 | -5% |
| Capital contributions | 0 | 3,798 | 0 | 0 | 3,798 | - |
| Capital grants and subsidies | 0 | 953,863 | 5,429,935 | 5,373,282 | -4,419,419 | -82% |
| Other capital income (expense) | -280,414 | -884,680 | -604,267 | -203,208 | -681,472 | 335% |
| Net result for period | -3,747,625 | 22,965,436 | 3,715,681 | 29,178,433 | -6,212,997 | -21% |

BURDEKIN SHIRE COUNCIL
STATEMENT OF FINANCIAL POSITION
As at 31 October 2018

| | Year to Date Actual \$ | Annual Budget \$ |
|--------------------------------------|------------------------------|------------------------|
| Current Assets | | |
| Cash and Cash Equivalents | 79,385,766 | 48,689,626 |
| Receivables | 2,887,856 | 3,261,211 |
| Inventories | 699,888 | 753,530 |
| Non-Current Assets Held for Sale | 161,000 | 161,000 |
| Total Current Assets | 83,134,510 | 52,865,367 |
| Non-Current Assets | | |
| Receivables | 426,909 | 301,965 |
| Property, Plant and Equipment | 505,334,746 | 516,017,442 |
| Intangibles Assets | 705,925 | 658,294 |
| Total Non-Current Assets | 506,467,580 | 516,977,701 |
| TOTAL ASSETS | 589,602,091 | 569,843,068 |
| Current Liabilities | | |
| Payables | 3,926,034 | 4,753,959 |
| Borrowings | 1,759,020 | 1,329,735 |
| Provisions | 2,878,335 | 2,878,335 |
| Other | 1,550 | 950 |
| Total Current Liabilities | 8,564,939 | 8,962,979 |
| Non-Current Liabilities | | |
| Borrowings | 1,245,451 | 352,460 |
| Provisions | 16,347,082 | 16,347,082 |
| Total Non-Current Liabilities | 17,592,533 | 16,699,542 |
| TOTAL LIABILITIES | 26,157,472 | 25,662,521 |
| NET COMMUNITY ASSETS | 563,444,618 | 544,180,547 |
| Community Equity | | |
| Asset Revaluation Surplus | 295,598,110 | 295,598,109 |
| Retained Surplus (deficiency) | 267,846,508 | 248,582,438 |
| TOTAL COMMUNITY EQUITY | 563,444,618 | 544,180,547 |

BURDEKIN SHIRE COUNCIL
STATEMENT OF CASH FLOWS
For Period Ending 31 October 2018

| | Year to Date Actual \$ | Annual Cashflow Budget \$ |
|--|------------------------------|---------------------------------|
| Cash Flows from Operating Activities | | |
| Receipts | | |
| Receipts from Customers | 38,059,627 | 42,968,285 |
| Operating Grants, Subsidies and Contributions | 854,502 | 3,033,638 |
| Interest Received | 669,008 | 1,533,300 |
| Payments | | |
| Payments to Suppliers and Employees | -13,311,093 | -37,037,609 |
| Interest Expense | -47,975 | -158,610 |
| Net Cash Inflow (Outflow) from Operating Activities | <u>26,224,069</u> | <u>10,339,004</u> |
| Cash Flows from Investing Activities | | |
| State Government Subsidies and Grants | 953,863 | 5,429,935 |
| Capital Contributions | 3,798 | 0 |
| Payments for Property, Plant and Equipment | -4,571,961 | -22,654,999 |
| Payments for Intangible Assets | 0 | -143,000 |
| Proceeds from Sale of Property, Plant and Equipment | 3,010 | 246,010 |
| Net Movement in Loans to Community Organisations | -21,962 | 0 |
| Net Cash Inflows (Outflow) from Investing activities | <u>-3,633,252</u> | <u>-17,122,054</u> |
| Cash Flows from Financing Activities | | |
| Repayment of Borrowings | -429,477 | -1,751,750 |
| Net Cash Inflows (Outflow) from Financing activities | <u>-429,477</u> | <u>-1,751,750</u> |
| Net Increase (Decrease) in Cash and Cash Equivalents Held | <u>22,161,341</u> | <u>-8,534,800</u> |
| Cash and Cash Equivalents at Beginning of the Financial Year | 57,224,426 | 57,224,426 |
| Cash and Cash Equivalents at end of the Period | <u><u>79,385,767</u></u> | <u><u>48,689,626</u></u> |

5 GOVERNANCE

5.1 Adoption of the New Records Governance Policy

Document Information

Referring Letter No: N/A

File No: 1893

Name of Applicant: N/A

Location: N/A

Author and Title: Mrs. Anne-Maree Dale – Acting Administration and Records Coordinator and Corporate Records Officer

Executive Summary

The purpose of this policy is to provide a framework for the governance of recordkeeping within Council, ensuring it is managed in accordance with relevant legislation, policies, standards and guidelines.

Recommendation

That Council adopts the new Records Governance Policy as attached to this report.

Background Information

As part of the Queensland State Archives Recordkeeping Transformation Program, a new *Records Governance Policy* has been released. This new policy was developed following a review of the existing Information Standards *IS31 Retention and Disposal of Public Records* and *IS40 Recordkeeping* and included widespread consultation with all public authorities. Burdekin Shire Council was included in the consultation process and provided feedback on the draft *Records Governance Policy*. The policy was released on 1 July 2018 under the Queensland Government Chief Information Office (QGCIO) Queensland Government Enterprise Architecture (QGEA) and is applicable to all public authorities covered by the *Public Records Act 2002*. With the release of the Records Governance Policy, IS31 and IS40 have now been repealed. Following adoption of the State Policy, it is recommended public agencies adopt their own Records Governance Policy to align.

Link to Corporate/Operational Plan

- 5.1.2 Be responsive and proactive in providing information in the public interest
- 5.3 Commitment to continuous improvement, customer service and accountability
- 5.3.3 Adhere to the governance framework and public reporting systems
- 5.3.4 Undertake regulatory responsibilities in accordance with legislative obligations

Consultation

Council reviewed this policy at a Workshop on Tuesday 6 November 2018.

Legal Authority or Implications

N/A

Policy Implications

N/A

Financial and Resource Implications

N/A

Report prepared by:

Mrs. Anne-Maree Dale – Acting Administration and Records Coordinator and Corporate Records Officer.

Report authorised by:

Mrs. Kim Olsen – Manager Financial and Administrative Services

Attachments

1. Records Governance Policy

| | |
|-----------------|--|
| Policy Type | Corporate |
| Function | Records |
| Policy Owner | Chief Executive Officer |
| Policy Contact | Administration and Corporate Records Coordinator |
| Review Schedule | 36 |
| Resolution No. | Enter Resolution Number |

1. Purpose

To provide a framework for the governance of recordkeeping within Council ensuring it is managed in accordance with relevant legislation, policies, standards and guidelines.

2. Scope

This policy applies to:

- All Council employees, contractors and Councillors.
- All aspects of Council's business, all records created during business transactions (both internal and external), metadata, and to all business applications used to create records including physical (hard copy) records, digitised and scanned records, electronic records including emails, records held in databases or on websites and other technology dependent records.

3. Exceptions

Nil

4. Definitions

'Business activities' is a broad term covering all functions, processes, activities and transactions of Council and its workers.

'Council' means Burdekin Shire Council.

'ECM' means TechnologyOne's Electronic Content Management System.

'Metadata' is identifying information collected with a record at the point of capture to enable cataloguing and searching. It also accrues throughout the life of a record to provide information on how a record has been used or managed and is essential for preserving the authenticity of records. It can be used to describe physical items as well as digital items in detail to ensure greater information accessibility and improved records management.

'Record' means information created, received, and maintained as evidence and information by an organisation or person, in pursuance of legal obligations or in the transaction of business.

'Recordkeeping' refers to making and maintaining complete, accurate and reliable evidence of business transactions in the form of recorded information.

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5. Objectives

The objectives of this policy are to ensure:

- a strong foundation is provided for systematically and effectively managing complete and reliable records and information
- Council records are preserved to support ongoing business activities and customer services, meeting accountability requirements and community expectations
- increased discoverability and accessibility of records and information
- compliance with legislative, administrative and business requirements
- sound Records Management practices and procedures are fully integrated into all aspects of Council business
- all Council employees, contractors and Councillors are aware of their recordkeeping responsibilities.

6. Policy Statement

Records are a corporate asset. They form the corporate memory and support accountability by providing evidence. They assist Council to make use of organisational knowledge and experience, contribute to informed decision-making and better performance of business activities and improved customer service, program delivery and risk management.

The systematic creation and capture of administrative records is therefore fundamental to the efficient and effective functioning of Council's processes and to protecting its corporate memory. Business activities of Council will be documented, recorded and managed to protect the integrity, enhance proficiency, provide transparency and preserve the history of Council.

ECM is Council's principle recordkeeping system for the capture of all corporate information in all formats. This will enhance an integrated process for records creation, storage and archiving systems across Council.

Policy Requirement 1: Council must ensure records management is supported at all levels of business

Council must ensure records management is everyone's responsibility. This means it must be supported across all areas and all levels of the business by:

- assigning formal records management responsibilities to key roles within the business to monitor and support the active implementation of this policy
- providing appropriate advice and guidance to ensure the business is aware of the value of records and information and how this relates to their obligations and responsibilities as an employee
- fostering a positive, innovative and collaborative recordkeeping culture.

Policy Requirement 2: Council must systematically manage records using governance practices that are integrated and consistent

Consistent and aligned governance practices provide a strong foundation for systematically managed records and information across all functions of Council. Records governance must work within the Council's existing structure and governance and strengthen Council's strategic goals and functions.

Council must systematically manage records and information by:

- ensuring records and information governance is aligned across Council and incorporated in business strategies and objectives
- developing and implementing appropriate and fit-for-purpose documentation that details how active records management will strengthen Council's business imperatives and strategic goals
- complying with relevant legislation that governs recordkeeping requirements
- measuring how well records governance is supporting Council's imperatives and strategic goals.

Policy Requirement 3: Council must create complete and reliable records

Complete and reliable records provide evidence of activities of Council and allow the business to operate effectively. Council must ensure complete and reliable records are created and retained as appropriate by:

- identifying all the records that allow the business to operate – these provide evidence of decisions, support accountability and transparency, mitigate risk, help Council meet legislative requirements and reflect the business of Council
- specifying how these records must be created, when they must be created, the format they must be created in, who must create them and implementing security and preservation requirements associated with those records
- integrating record creation into existing business processes
- ensuring recordkeeping is considered when decisions are made about business systems (particularly decisions around migration and end of life).

Policy requirement 4: Council must actively manage permanent, high-value and high-risk records and information as a priority

'Permanent' records are those with a permanent retention period. 'High value' records are those that are important to the business, its operations, or stakeholders. 'High-risk' records are those that pose a significant risk to Council if they were misused, lost, damaged or deleted prematurely. These records should have the highest priority for Council when developing and implementing its governance practices. Council must actively manage permanent, high-value and high-risk records by:

- defining the criteria and processes for identifying permanent, high-value and high-risk records, including transfer of permanent value records to Queensland State Archives
- formally documenting details of permanent, high-value and high-risk records

- actively maintaining visibility of these records while they are being used, including monitoring processes for permanent, high-value and high-risk records held in business systems and applications.

Policy Requirement 5: Council must make records discoverable and accessible for use and re-use

Discoverable records are those that are in business systems and applications approved for use by Council. Accessible records are those that can be located and continuously used. Council must ensure complete and reliable records are discoverable, accessible and are able to be used and re-used for their entire life by:

- keeping records in business systems and applications approved for use by Council
- being able to discover and appropriately access records, with confidence in sufficiency of search
- actively monitoring the health of records.

Policy Requirement 6: Council must dispose of records in a planned and authorised way

Council must plan for how and when they will dispose of records, using a risk based approach. Records must be disposed of in a planned and authorised way by:

- using the disposal authorities issued by the State Archivist that provide proper coverage of the specific records you create and keep.
- developing and implementing a disposal plan, which details disposal decisions and actions for Council. The plan must, at a minimum, cover:
 - disposal endorsement, including how internal endorsement is given
 - disposal methods, including how records will be disposed of (physical and digital)
 - disposal frequency, including specifying how often certain types of records will be disposed of.
- formally documenting the disposal of records.

7. Legislation

Local Government Act 2009
Public Records Act 2002

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8. Related Documents

| Document Title | Description |
|---|--|
| Records Governance Policy | Queensland State Archives' policy that sets out the foundational principles of recordkeeping for Queensland Government agencies and public authorities to meet minimum recordkeeping requirements. |
| Records Governance Policy Implementation Guidelines | Queensland State Archives' guidelines which provide information and advice to consider when implementing the policy requirements. |
| Information Management Policy Framework (IMPF) | Queensland Government policy framework that identifies and defines the various areas (domains) which contribute to effective information management across the Queensland Government. |
| Information Security Policy | Burdekin Shire Council policy that provides a framework for the governance of Council's information assets. |
| Local Government Sector Retention and Disposal Schedule (QDAN480v.4) | This schedule applies to the records of Local Governments covered by the <i>Local Government Act 1993</i> . |
| General Retention and Disposal Schedule (GRDS) | An authorisation under s.26 of the <i>Public Records Act 2002</i> for the disposal of common and administrative public records created by all Queensland Government agencies. |

9. Document History

| Revision Number | Revision Details | Approved By (Officers Name) | Resolution Number | Date |
|-----------------|---|-------------------------------|-------------------|------------|
| 0.1 | Draft | Jacqui Thomasson | | 23/08/2018 |
| 0.2 | Draft | Kim Olsen Jacqui Thomasson | | 29/08/2018 |
| 0.3 | Revised Draft Following Councillor Review at Workshop | | | 06/11/2018 |

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5.2 Local Government Reform Documents - Adoption of Council Meeting Procedures, Standing Orders and Investigation of Inappropriate Councillor Conduct Policy

Document Information

Referring Letter No: N/A

File No: 1939

Name of Applicant: N/A

Location: N/A

Author and Title: Rebecca Stockdale – Senior Governance Officer

Executive Summary

The Queensland Government is undertaking a process of reform to the local government sector in Queensland. The reform includes legislative changes and the introduction of a compulsory Code of Conduct for Councillors along with strengthened requirements for how a councillor must deal with a real or perceived conflict of interest or material personal interest. The reform also introduces a revised Councillor complaints management process and has seen the establishment of the Office of the Independent Assessor.

Following consultation with all Queensland local governments, and in line with the recent local government reforms, the Department of Local Government, Racing and Multicultural Affairs has provided a suite of documents to assist Council in implementing the reforms. Council is required to either adopt the model meeting procedures provided by the Department or prepare and adopt its own which must also comply with the relevant legislation. Council will be taken to have adopted the model procedures if not adopted by 3 December. The Meeting Procedures, Standing Orders and Investigation Policy attached to this report are a replica of the model documents provided by the Department. They have been transposed into Council's adopted document templates in line with the style guide. These documents, once adopted by Council, will be effective from 3 December 2018.

Recommendation

That Council adopts the Meeting Procedures, Standing Orders and Investigation Policy as attached to this report.

Background Information

In May 2018 the *Local Government (Councillor Complaints) and Other Legislation Amendment Act 2018* was passed. The legislation sets out a new Councillor complaints framework and imposes a mandatory Code of Conduct for Councillors. In addition to the mandatory Code of Conduct, the Department of Local Government, Racing and Multicultural Affairs has provided local governments with a suite of model documents that are aimed at supporting local governments to improve public confidence and set accountability standards

for the behaviour of elected members. The draft 'model' documents are attached to the report.

Link to Corporate/Operational Plan

5.3.1 Demonstrate open and transparent leadership

Consultation

Council were provided with draft model documents and discussed them at a workshop in June 2018, and feedback was provided to the department as part of the consultation process. The final documents were discussed with Council at a workshop on 20 November 2018.

Legal Authority or Implications

Local Government Act 2009

Policy Implications

The new Investigation of Inappropriate Councillor Conduct Policy will be added to Council's policy register and will be published to Council's website.

Financial and Resource Implications

The new Investigation of Inappropriate Councillor Conduct Policy makes provision for the Mayor to engage an external investigator if necessary which may have financial impacts if needed.

Report prepared by:

Rebecca Stockdale - Senior Governance Officer

Report authorised by:

Nick O'Connor - Director of Corporate and Community Services

Attachments

1. Burdekin Shire Council Meeting Procedures
2. Burdekin Shire Council Standing Orders
3. Investigation of Inappropriate Councillor Conduct Policy

Purpose

These meeting procedures set out certain procedures to ensure the Local Government principles are reflected in the conduct of Local Government meetings and Local Government committee meetings.

It is not intended that these meeting procedures will deal with all aspects of meeting conduct but only those required to strengthen public confidence in Local Government to deal with the conduct of Councillors in meetings.

Background

In particular, as required under section 150F of the Local Government Act 2009 (LGA) this document sets out:

- the process for how a Chairperson of a Local Government meeting may deal with instances of unsuitable meeting conduct by Councillors.
- the process for how suspected inappropriate conduct of a Councillor referred to the local government by the Independent Assessor (the Assessor) is to be dealt with at a Local Government meeting.

Processes

1. Process for dealing with unsuitable meeting conduct by a Councillor in a meeting

When dealing with an instance of unsuitable conduct by a Councillor in a meeting, the following procedures must be followed:

- 1.1 The Chairperson must decide whether or not unsuitable meeting conduct has been displayed by a Councillor.
- 1.2 If the Chairperson decides the unsuitable meeting conduct has occurred, the Chairperson must consider the severity of the conduct and whether the Councillor has had any previous warnings for unsuitable meeting conduct issued. If the Chairperson decides the conduct is of a serious nature, refer to 1.7 for the steps to be taken.
- 1.3 If the Chairperson decides unsuitable meeting conduct has occurred but is of a less serious nature, the Chairperson may request the Councillor take remedial actions such as:
 - 1.3.1 Ceasing the unsuitable meeting conduct and refraining from exhibiting the conduct
 - 1.3.2 Apologising for their conduct
 - 1.3.3 Withdrawing their comments.
- 1.4 If the Councillor complies with the Chairperson's request for remedial action, no

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further action is required.

- 1.5 If the Councillor fails to comply with the Chairperson's request for remedial action, the Chairperson may warn the Councillor that failing to comply with the request may result in an order being issued.
- 1.6 If the Councillor complies with the Chairperson's warning and request for remedial action, no further action is required.
- 1.7 If the Councillor still continues to fail to comply with the Chairperson's request for remedial actions, the Chairperson may make one or more of the orders below:
 - 1.7.1 an order reprimanding the Councillor for the conduct
 - 1.7.2 an order requiring the Councillor to leave the meeting, including any area set aside for the public and stay out for the duration of the meeting.¹
- 1.8 If the Councillor fails to comply with an order to leave and stay away from the meeting, the Chairperson can issue an order that the Councillor be removed from the meeting by an appropriate officer. The meeting must be adjourned whilst the Councillor is being removed.²
- 1.9 Following the completion of the meeting, the Chairperson must ensure:
 - 1.9.1 details of any order issued is recorded in the minutes of the meeting³
 - 1.9.2 if it is the third (3rd) or more order within a 12-month period made against a Councillor or the Councillor has refused to leave following an order issued to leave the meeting, these matters are to be dealt with at the next meeting of the Local Government and treated as inappropriate conduct pursuant to the LGA.⁴
 - 1.9.3 the Local Government's Chief Executive Officer is advised to ensure details of any order made must be updated in the Local Governments Councillor Conduct Register pursuant to the LGA.

Any Councillor aggrieved with an order issued by the Chairperson can move a motion of dissent for parts 1.1, 1.7 and 1.8 above.

2. Meeting process for dealing with suspected Inappropriate Conduct which has been referred to a Local Government

Pursuant to section 150AF of the LGA, after receiving a referral by the Independent Assessor or under paragraph 1.9.2 of this document of an instance of suspected inappropriate conduct, the Local Government must complete an investigation into the alleged conduct.

¹ Section 150I (2) of the LGA.

² Section 150I (2)(c) of the LGA.

³ Section 150I (3) of the LGA.

⁴ Section 150J of the LGA.

After the completion of the investigation, the Local Government must decide whether the Councillor has engaged in inappropriate conduct in a Council meeting, unless it has delegated responsibility for this decision under section 257 of the LGA.

When dealing with an instance of suspected inappropriate conduct which has been referred to a Local Government by the Independent Assessor, the Local Government must:

- 2.1 Be consistent with the Local Government principle of transparent and accountable decision making in the public interest, by dealing with suspected inappropriate conduct in an open meeting of the Council. Where the complainant or other parties may be adversely affected due to the nature of the complaint, the Council may resolve to go into closed session under section 275 of the *Local Government Regulation 2012* (the LGR).
- 2.2 When deliberating on the issue the subject Councillor must leave the place where the meeting is being held, including any area set aside for the public. Should the complainant be a Councillor, that Councillor must inform the meeting of a personal interest and follow the conflict of interest procedures in Section 4.
- 2.3 The Local Government should then debate the issue and decide whether the accused Councillor engaged in inappropriate conduct.
- 2.4 If the Local Government decides that the subject Councillor has engaged in inappropriate conduct, the Local Government is then required to decide what penalty or penalties from the following orders, if any, to impose on the subject Councillor:
 - 2.4.1 an order that the Councillor make a public admission that the Councillor has engaged in inappropriate conduct
 - 2.4.2 an order reprimanding the Councillor for the conduct
 - 2.4.3 an order that the Councillor attend training or counselling to address the Councillor's conduct, including at the Councillor's expense
 - 2.4.4 an order that the Councillor be excluded from a stated Local Government meeting
 - 2.4.5 an order that the Councillor is removed, or must resign, from a position representing the Local Government, other than the office of Councillor, for example, the Councillor is ordered to resign from an appointment representing the Local Government on a State board or committee.
 - 2.4.6 an order that if the Councillor engages in the same type of conduct again, it will be treated as misconduct
 - 2.4.7 an order that the Councillor reimburse the Local Government for all or some of the costs arising from the Councillor's inappropriate conduct.
- 2.5 When making an order, the Local Government can take into consideration any previous inappropriate conduct of the Councillor, and any allegation made in the investigation that was admitted, or not challenged and that the Local Government is reasonably satisfied is true.
- 2.6 The subject Councillor and where relevant the complainant Councillor, must be invited back into the place where the meeting is being held once a decision has been made.
- 2.7 The Local Government must ensure the meeting minutes reflect the resolution made.

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3. Material Personal Interest

Councillors are ultimately responsible for informing of a material personal interest on matters to be discussed at a Council or committee meeting. When dealing with a material personal interest, Councillors must abide by the following procedures:

- 3.1 A Councillor with a material personal interest must inform the meeting of the Local Government of their material personal interest and set out the nature of the interest, including:
 - 3.1.1 The name of the person or other entity who stands to gain a benefit, or suffer a loss, depending on the outcome of the consideration of the matter at the meeting
 - 3.1.2 How a person or other entity stands to gain the benefit or suffer the loss
 - 3.1.3 If the person or other entity who stands to gain the benefit or suffer the loss is not the Councillor – the nature of the Councillor's relationship to the person or entity.
- 3.2 The Councillor must then leave the place of the meeting and stay away while the matter is being discussed and voted on unless the subject Councillor has Ministerial approval to participate in the matter. The Councillor must not influence or attempt to influence the remaining Councillors to vote on the matter in a particular way.
- 3.3 Once the Councillor has left the area where the meeting is being conducted, the Local Government can continue discussing and deciding on the matter at hand.
- 3.4 If a Councillor at a meeting reasonably believes, or reasonably suspects that another Councillor has a material personal interest in a matter to be discussed at the meeting and has not informed the meeting about the interest, the Councillor must advise the Chairperson of the meeting, as soon as practicable, about their belief or suspicion, and the facts and circumstances that form the basis of the belief or suspicion.
- 3.5 The Chairperson then should ask the Councillor with the suspected material personal interest whether they do in fact have a material personal interest. If that is the case, the Councillor must follow the above procedures from item 3.1.
- 3.6 In the event the majority of Councillors inform a meeting of a material personal interest regarding a matter:
 - 3.6.1 The Local Government must resolve to delegate the consideration and decision on the matter, pursuant to section 257 of the LGA; orif the matter cannot be delegated under section 257 of the LGA, the Local Government should seek Ministerial approval for the Councillors to be able to consider and vote on the matter, subject to any conditions the Minister for Local Government may impose.
- 3.7 Where a Councillor informs a meeting of a material personal interest in a matter, the Chairperson must ensure the minutes of the meeting (to be posted on the Council's website) record:

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- 3.7.1 The name of the Councillor who has a material personal interest in the matter
- 3.7.2 The material personal interest, including the particulars mentioned by the Councillor regarding the material personal interest
- 3.7.3 Whether the Councillor participated in the meeting, or was present during the meeting, under an approval granted by the Minister for Local Government.

4. Conflict of Interest

Councillors are ultimately responsible for informing of any personal interest where they have a real or perceived conflict of interest on matters to be discussed at Council or committee meetings (other than ordinary business matters). When dealing with a conflict of interest, Councillors must abide by the following procedures:

- 4.1 A Councillor with a real or perceived conflict of interest must inform the meeting of the Local Government of their personal interest and set out the nature of the interest, including:
 - 4.1.1 The nature of the interest
 - 4.1.2 If the Councillor's personal interest arises because of the Councillor's relationship with, or receipt of a gift or benefit from, another person:
 - 4.1.2.i the name of the other person
 - 4.1.2.ii the nature of the relationship or value and date of receipt of the gift or benefit received, and
 - 4.1.2.iii the nature of the other person's interests in the matter.
- 4.2 The subject Councillor may themselves elect to leave the meeting while the matter is being discussed and voted on due to a perceived conflict of interest or conflict of interest. If the Councillor does not leave the meeting, they may advise the other Councillors why they believe they are able to act in the public interest while remaining in the meeting. This could include prior advice from the Integrity Commissioner on the personal interest.
- 4.3 The other Councillors entitled to vote at the meeting must then decide whether the subject Councillor has a conflict of interest (including a perceived conflict of interest) in the matter due to their personal interest. A Councillor who has declared a personal interest in relation to a matter, must not vote under section 175E(4) as to whether another Councillor may stay in the meeting.
- 4.4 If the other Councillors decide there is no conflict of interest or a perceived conflict of interest, the subject Councillor may remain in the meeting and the meeting may continue. If the other Councillors decide there is a conflict of interest they must then decide whether the subject Councillor must leave the meeting while the matter is being discussed and voted on or can participate in the meeting in relation to the matter including voting on the matter. If the Councillor must leave the place of the meeting the Councillor must not influence or attempt to influence the remaining Councillors to vote on the matter in a particular way

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- 4.5 When deciding whether a Councillor may stay in a meeting and vote following the decision of a conflict of interest, the other Councillors must consider significant variables including, but not limited to:
- 4.5.1 The size or significance of the benefit the subject Councillor stands to receive or benefit
 - 4.5.2 The benefit the subject Councillor stands to receive versus the benefit the community stands to receive from the potential decision
 - 4.5.3 The closeness of any relationship the subject Councillor may have with a given person or group.
- 4.6 In making the decision under 4.6, it is irrelevant how the subject Councillor intended to vote on the issue or any other issue (if known or suspected).
- 4.7 If a Councillor at a meeting reasonably believes, or reasonably suspects that another Councillor has a real or perceived conflict of interest in a matter to be discussed at the meeting and has not informed the meeting about the interest, the Councillor must advise the Chairperson of the meeting, as soon as practicable, about their belief or suspicion, and the facts and circumstances that form the basis of the belief or suspicion.
- 4.8 The Chairperson then should ask the Councillor with the suspected conflict of interest to inform the meeting of any personal interest they have in the matter and follow the above procedures from item 4.1.
- 4.9 In the event the majority of Councillors of a personal interest in a matter:
- 4.9.1 the Local Government must resolve to delegate the consideration and decision on the matter, pursuant to section 257 of the LGA, or
 - 4.9.2 if the matter cannot be delegated under the section 257 of the LGA, the Local Government should seek Ministerial approval for the Councillors to be able to consider and vote on the matter, subject to any conditions the Minister for Local Government may impose.
- 4.10 Where a Councillor informs a meeting of a personal interest in a matter, the Chairperson must ensure the minutes of the meeting (to be posted on the Council's website) record:
- 4.10.1 The name of the Councillor who has declared the conflict of interest
 - 4.10.2 The nature of the personal interest, as described by the Councillor
 - 4.10.3 The decisions made under 4.3 and 4.5 above
 - 4.10.4 Whether the Councillor participated in the meeting under an approval by the Minister
 - 4.10.5 If the Councillor voted on the matter, how they voted
 - 4.10.6 How the majority of Councillors voted on the matter.

5. Closed Meetings

Local Government and standing committees may resolve that a meeting be closed to the public if its Councillors or members consider it necessary to discuss any of the following matters:

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- Appointment, dismissal or discipline of employees
 - Industrial matters affecting employees
 - Local Government's budget
 - Rating concessions or contracts proposed to be made by the Local Government or starting or defending legal proceedings involving the Local Government
 - Any action to be taken by the Local Government under the *Planning Act 2016* (PA), including applications made to it under the PA
 - 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.
- A Local Government or committee must not make a resolution (other than procedural) in a closed session meeting. If a closed session includes attendance by teleconference, the Councillor/s attending by teleconference must maintain confidentiality by ensuring no other person can hear their conversation.
- 5.1 To take an issue into a closed session, the Local Government must first pass a resolution to do so.
 - 5.2 In the interests of accountability and transparency, the Local Government must specify the nature of the matter to be discussed and the reasoning of the Councillors for going into closed session.
 - 5.3 If the matter is known in advance, the agenda should clearly identify that the matter will be considered in closed session and name the topic to be discussed and a brief explanation of why it is deemed necessary to take the issue into closed session.
 - 5.4 The minutes of a Local Government must detail the matter discussed and reasoning for discussing the matter in closed session. The Local Government must also ensure that it complies with the statutory obligations associated with recording of passed resolutions.

6. Related Documents

| Document Title |
|---|
| Standing Orders for Council Meetings |
| Councillor Code of Conduct |
| Investigation of Inappropriate Councillor Conduct Behaviour |

7. Document History

| Revision Number | Revision Details | Approved By (Officers Name) | Resolution Number | Date |
|-----------------|---|-----------------------------|-------------------|------------|
| 1.0 | These Meeting Procedures will come into effect on 3 December 2018 | N/A | N/A | 20/11/2018 |

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1. Standing Orders

- 1.1 These Standing Orders apply to all meetings of Burdekin Shire Council and any of its standing Committees.
- 1.2 Any provision of these Standing Orders may be suspended by resolution of any meeting of Council. A separate resolution is required for any such suspension and must specify the application and duration of each suspension.
- 1.3 Where at a Council meeting a matter arises which is not provided for in these Standing Orders, such matters shall be determined by resolution of Council upon a motion which may be put without notice but otherwise in conformity with these Standing Orders.

Procedures for Meetings of Council

2. Presiding Officer

- 2.1 The Mayor will preside at a meeting of Council.
- 2.2 If the Mayor is absent or unavailable to preside, the Deputy Mayor will preside.
- 2.3 If both the Mayor and the Deputy Mayor, or the Mayors' delegate, are absent or unavailable to preside, a Councillor chosen by the Councillors present at the meeting will preside at the meeting.
- 2.4 Council will choose the Chairperson for a Committee meeting. This Chairperson will normally preside over meetings of the Committee.
- 2.5 If the Chairperson of a Committee is absent or unavailable to preside, a Councillor chosen by the Councillors present will preside over the Committee meeting.

3. Order of Business

- 3.1 Before proceeding with the business of the meeting, the person presiding at the meeting shall undertake the acknowledgement and/or greetings deemed appropriate by the Council.
- 3.2 The order of business shall be determined by resolution of Council from time to time. The order of business may be altered for a particular meeting where the Councillors at that meeting pass a motion to that effect. A motion to alter the order of business may be moved without notice.
- 3.3 Unless otherwise altered, the order of business shall be as follows:
 - attendances

Burdekin Shire Council Standing Orders for Council Meetings including Standing Committees



- apologies and granting of leaves of absence
- confirmation of Minutes
- Officers Reports.

- 3.4 The minutes of a preceding meeting whether an ordinary or a special meeting, not previously confirmed shall be taken into consideration, at every ordinary meeting of Council, in order that such minutes may be confirmed and no discussion shall be permitted with respect to such minutes except with respect to their accuracy as a record of the proceedings.

4. Agendas

- 4.1 The Agenda may contain:
- Notice of meeting
 - Minutes of the previous meetings
 - Business arising out of previous meetings
 - Business which the Mayor wishes to have considered at that meeting without notice
 - Matters of which notice has been given
 - Committees' reports to Council referred to the meeting by the CEO
 - Officers' reports to Council referred to the meeting by the CEO
 - Deputations and delegations
 - Any other business Council determines by resolution be included in the agenda paper.
- 4.2 Business not on the Agenda or not fairly arising from the Agenda shall not be considered at any Meeting unless permission for that purpose is given by Council at such meeting. Business must be in accordance with the adopted Terms of Reference for each Committee.

5. Petitions

- 5.1 Any petition presented to a meeting of Council shall:
- be in legible writing or typewritten and contain a minimum of ten (10) signatures
 - include the name and contact details of the Principal Petitioner (i.e., one person who is the organiser and who will act as the key contact for the issue)
 - include the postcode of all petitioners, and
 - have the details of the specific request/matter appear on each page of the petition.
- 5.2 Where a Councillor presents a petition to a meeting of Council no debate on or in relation to it shall be allowed and the only motion which may be moved is that the petition be received; or received and referred to a committee or officer for consideration and a report to Council; or not be received because it is deemed invalid.
- 5.3 Council will respond to the Principal Petitioner in relation to all petitions deemed valid.

6. Deputations

- 6.1 A deputation wishing to attend and address a meeting of Council shall apply in writing to the CEO not less than seven (7) business days before the meeting.

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- 6.2 The CEO, on receiving an application for a deputation shall notify the Chairperson who shall determine whether the deputation may be heard. The CEO shall inform the deputation of the determination in writing. Where it has been determined the deputation will be heard, a convenient time shall be arranged for that purpose, and an appropriate time period allowed.
- 6.3 For deputations comprising three or more persons, only three persons shall be at liberty to address Council unless the Councillors at the meeting determine otherwise by resolution. A deputation shall be given adequate opportunity to explain the purpose of the deputation.
- 6.4 If a member of the deputation other than the appointed speakers interjects or attempts to address the Council, the Chairperson may finalise the deputation.
- 6.5 The Chairperson may terminate an address by a person in a deputation at any time where:
- the Chairperson is satisfied that the purpose of the deputation has been sufficiently explained to the Councillors at the meeting
 - the time period allowed for a deputation has expired, or
 - the person uses insulting or offensive language or is derogatory towards Councillors or staff members.
- 6.6 The CEO is responsible for the deputation including that the appointed speaker/s are notified in writing of developments or future actions as appropriate.

Motions

7. Motion to be moved

- 7.1 A Councillor is required to 'move' a motion and then another Councillor is required to 'second' the motion.
- 7.2 When a motion has been moved and seconded, it shall become subject to the control of Council and shall not be withdrawn without the consent of Council.
- 7.3 Other Councillors can propose amendments to the motion which must be voted on before voting on the final motion.
- 7.4 A motion brought before a meeting of Council in accordance with the *Local Government Act 2009* or these Standing Orders shall be received and put to the meeting by the Chairperson. The Chairperson may require a motion or amendment to a motion to be stated in full or be in writing before permitting it to be received.
- 7.5 The Chairperson may call the notices of motion in the order in which they appear on the agenda, and where no objection is taken to a motion being taken as a formal motion, the Chairperson may put the motion to the vote without discussion.

8. Absence of Mover of Motion

- 8.1 Where a Councillor who has given notice of a motion is absent from the meeting of Council at which the motion is to be considered, the motion may be:
- moved by another Councillor at the meeting, or
 - deferred to the next meeting.

9. Motion to be seconded

- 9.1 A motion or an amendment to a motion shall not be debated at a meeting of Council unless or until the motion or the amendment is seconded, with the exception of Procedural Motions.

10. Amendment of Motion

- 10.1 An amendment to a motion shall be in terms which maintain or further clarify the intent of the original motion and do not contradict the motion.
- 10.2 Not more than one motion or one proposed amendment to a motion may be put before a meeting of Council at any one time.
- 10.3 Where an amendment to a motion is before a meeting of Council, no other amendment to the motion shall be considered until after the first amendment has been put.
- 10.4 Where a motion is amended by another motion, the original motion shall not be put as a subsequent motion to amend that other motion.

11. Speaking to motions and amendments

- 11.1 The mover of a motion or amendment shall read it and shall state that it is so moved but shall not speak to it until it is seconded.
- 11.2 The Chairperson will manage the debate by allowing the Councillor who proposed the motion the option of speaking first on the motion. The Chairperson will then call on any other Councillor who wishes to speak against the motion and then alternatively for and against the motion as available, until all Councillors who wish to speak have had the opportunity.
- 11.3 A Councillor may make a request to the Chairperson for further information before or after the motion or amendment is seconded.
- 11.4 A motion or amendment may be withdrawn by the mover thereof with the consent of Council, which shall be signified without debate, and a Councillor shall not speak upon such motion or amendment thereof after the mover has been granted permission by Council for its withdrawal.

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- 11.5 The mover of a motion or amendment shall have the right to reply. Each Councillor shall speak no more than once to the same motion or same amendment except as a right of reply.
- 11.6 Each speaker shall be restricted to not more than five (5) minutes unless the Chairperson rules otherwise.
- 11.7 Where two or more Councillors indicate they may wish to speak at the same time, the Chairperson shall determine who is entitled to priority.
- 11.8 In accordance with Section 273 of the Local Government Regulation 2012, if a decision made at a meeting is inconsistent with a recommendation or advice given to Council by an advisor of the Council, the minutes of the meeting must include a statement of the reasons for not adopting the recommendation or advice.

12. Method of taking vote

- 12.1 The Chairperson will call for all Councillors in favour of the motion to indicate their support. The Chairperson will then call for all Councillors against the motion to indicate their objection. A Councillor may call for a 'division' to ensure their objection to the motion is recorded in the minutes. If a division is taken, the minute secretary shall record the names of Councillors voting in the affirmative and of those voting in the negative. The Chairperson shall declare the result of a vote or a division as soon as it has been determined.
- 12.2 Councillors have the right to request that their names and how they voted be recorded in the minutes if they so request, for voting other than by Division.
- 12.3 Except upon a motion to repeal or amend it, the resolution shall not be discussed after the vote has been declared.
- 12.4 If a report contains distinct recommendations, the decision of Council may be taken separately on each recommendation.

13. Repealing or amending resolutions

- 13.1 A resolution of Council may not be amended or repealed unless notice of motion is given in accordance with the requirements of the *Local Government Act 2009* or the Local Government Regulation 2012.
- 13.2 Councillors present at the meeting at which a motion to repeal or amend a resolution is put, may defer consideration of that motion. Such deferral shall not be longer than three (3) months.

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14. Procedural motions

- 14.1 A Councillor at a meeting of Council may, during the debate of a matter at the meeting, move, as a procedural motion, without the need for a seconder the following motions:
- that the question/motion be now put
 - that the motion or amendment now before the meeting be adjourned
 - that the meeting proceed to the next item of business
 - that the question lie on the table
 - a point of order
 - a motion of dissent against the Chairpersons decision
 - that this report/document be tabled
 - to suspend the rule requiring that (insert requirement)
 - that the meeting stand adjourned.
- 14.2 A procedural motion, that the question be put, may be moved and where such a procedural motion is carried, the Chairperson shall immediately put the question to the motion or amendment to that motion under consideration. Where such procedural motion is lost, debate on the motion or amendment to that motion shall continue.
- 14.3 The procedural motion, that the motion or amendment now before the meeting be adjourned, may specify a time or date, to which the debate shall be adjourned. Where no date or time is specified:
- a further motion may be moved to specify such a time or date, or
 - the matter about which the debate is to be adjourned, shall be included in the business paper for the next meeting.
- 14.4 Where a procedural motion, that the meeting proceed to the next item is carried, debate on the matter that is the subject of the motion shall cease and may be considered again by Council on the giving of notice in accordance with the Standing Orders.
- 14.5 A procedural motion, that the question lie on the table, shall only be moved where the Chairperson or a Councillor requires additional information on the matter before the meeting (or the result of some other action of Council or person is required) before the matter may be concluded at the meeting. Where such a procedural motion is passed, the Council shall proceed with the next matter on the business paper. The motion, that the matter be taken from the table, may be moved at the meeting at which the procedural motion was carried or at any later meeting.
- 14.6 Any Councillor may ask the Chairperson to decide on a 'point of order' where it is believed that another Councillor:
- has failed to comply with proper procedures
 - is in contravention of the Local Government Act/Regulations, or
 - is beyond the jurisdiction power of Council.

Points of order cannot be used as a means of contradicting a statement made by the Councillor speaking. Where a 'point of order' is moved, consideration of the matter to which the motion was moved shall be suspended pursuant to clause 10.2. The Chairperson shall determine whether the point of order is upheld.

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Upon the question of order suddenly arising during the process of a debate, a Councillor may raise a point of order, and thereupon the Councillor against whom the point of order is raised, shall immediately cease speaking. Notwithstanding anything contained in these standing orders to the contrary, all questions or points of order at any time arising shall, until decided, suspend the consideration and decision of every other question.

- 14.7 A Councillor may move 'a motion of dissent' in relation to a ruling of the Chairperson on a point of order. Where such motion is moved, further consideration of any matter shall be suspended until after a ruling is made. Where a motion of dissent is carried, the matter to which the ruling of the Chairperson was made shall proceed as though that ruling had not been made. Where as a result of that ruling the matter was discharged as out of order, it shall be restored to the business paper and be dealt with in the normal course of business.
- 14.8 The motion, 'that this report/document be tabled', may be used by a Councillor to introduce a report or other document to the meeting, only if the report or other document is not otherwise protected under confidentiality or information privacy laws. On tabling the document, it ceases to be a confidential document and is available for public scrutiny.
- 14.9 A procedural motion, "to suspend the rule requiring that ...", may be made by any Councillor in order to permit some action that otherwise would be prevented by a procedural rule. A motion to suspend a rule shall specify the duration of such a suspension.
- 14.10A procedural motion, that the meeting stands adjourned, may be moved by a Councillor at the conclusion of debate on any matter on the business paper or at the conclusion of a Councillor's time for speaking to the matter, and shall be put without debate. Such a procedural motion will specify a time for the resumption of the meeting and on resumption of the meeting the Council shall continue with the business before the meeting at the point where it was discontinued on the adjournment.

15. Conduct during Meetings

- 15.1 Councillors will conduct themselves in accordance with the principles of the *Local Government Act 2009* and the standards of behavior set out in the Code of Conduct. The Chairperson may observe or be made aware of instances of possible unsuitable meeting conduct.
- 15.2 After a meeting of Council has been formally constituted and the business commenced, a Councillor shall not enter or leave from such meeting without first notifying the Chairperson.
- 15.3 Councillors shall speak of each other during the Council meeting by their respective titles, "Mayor" or "Councillor", and in speaking of or addressing officers shall designate them by their respective official or departmental title and shall confine their remarks to the matter then under consideration.
- 15.4 No Councillor who is speaking shall be interrupted except upon a point of order being raised either by the Chairperson or by a Councillor.
- 15.5 When the Chairperson speaks during the process of a debate, the Councillor then speaking or

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offering to speak shall immediately cease speaking, and each Councillor present shall preserve strict silence so that the Chairperson may be heard without interruption.

16. Questions

- 16.1 A Councillor may at a Council meeting ask a question for reply by another Councillor or an officer regarding any matter under consideration at the meeting. A question shall be asked categorically and without argument and no discussion shall be permitted at the meeting of Council in relation to a reply or a refusal to reply to the question. A Councillor or officer to whom a question is asked without notice may request that the question be taken on notice for the next Meeting.
- 16.2 A Councillor who asks a question at a meeting, whether or not upon notice, shall be deemed not to have spoken to the debate of the motion to which the question relates.
- 16.3 The Chairperson may disallow a question which is considered inconsistent with an acceptable request or good order, provided that a Councillor may move a motion that the Chairperson's ruling be disagreed with, and if such motion be carried the Chairperson shall allow such question.

Maintenance of Good Order

17. Disorder

- 17.1 The Chairperson may adjourn the meeting of Council, where disorder arises at a meeting other than by a Councillor. On resumption of the meeting, the Chairperson shall move a motion, which shall be put without debate, to determine whether the meeting shall proceed. Where such a motion is lost, the Chairperson shall declare the meeting closed, and any outstanding matters referred to a future meeting.

Attendance and Non-Attendance

18. Attendance of public and the media at meeting

- 18.1 An area shall be made available at the place where any meeting of Council is to take place for members of the public and representatives of the media to attend the meeting and as many members of the public as reasonably can be accommodated in that area shall be permitted to attend the meeting.
- 18.2 When the Council is sitting in Closed Session, the public and representatives of the media shall be excluded.
- 18.3 The resolution that Council proceed into Closed Session must specify the nature of the matters to be considered and these matters must be in accordance with Section 275 Local Government Regulation 2012. The Chairperson may direct any persons improperly present to withdraw

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immediately. Council must not make a resolution (other than a procedural resolution) in a closed session. Council must resolve to move out of closed session so that a resolution can be passed on the matters considered in Closed Session.

19. Public participation at meetings

- 19.1 A member of the public may take part in the proceeding of a meeting only when invited to do so by the Chairperson.
- 19.2 In each Meeting, time may be required to permit members of the public to address the Council on matters of public interest related to local government. The time allotted shall not exceed fifteen minutes and no more than three speakers shall be permitted to speak at any one meeting. The right of any individual to address the Council during this period shall be at the absolute discretion of Council.
- 19.3 If any address or comment is irrelevant, offensive, or unduly long, the Chairperson may require the person to cease making the submission or comment.
- 19.4 For any matter arising from such an address, Council may take the following actions:
- refer the matter to a committee
 - deal with the matter immediately
 - place the matter on notice for discussion at a future meeting
 - note the matter and take no further action.
- 19.5 Any person addressing the Council shall stand and act and speak with decorum and frame any remarks in respectful and courteous language.
- 19.6 Any person who is considered by the Council or the Mayor to be unsuitably dressed may be directed by the Mayor or Chairperson to immediately withdraw from the meeting. Failure to comply with such a request may be considered an act of disorder.

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20. Related Documents

| Document Title |
|---|
| Councillor Code of Conduct |
| Meeting Procedures |
| Investigations of Inappropriate Councillor Conduct Policy |

21. Document History

| Revision Number | Revision Details | Approved By (Officers Name) | Resolution Number | Date |
|-----------------|---|-----------------------------|-------------------|------------|
| 1.0 | As provided by Department of Local Government, racing and Multicultural Affairs | N/A | N/A | 20/11/2018 |
| | | | | |
| | | | | |

| | |
|-----------------|---|
| Policy Type | Statutory |
| Function | Governance |
| Policy Owner | Chief Executive Officer |
| Policy Contact | Director Corporate and Community Services |
| Review Schedule | 12 months |
| Resolution No. | Enter Resolution Number |

1. Purpose

This policy is Burdekin Shire Council's policy for how complaints about the inappropriate conduct of Councillors will be dealt with as required by the section 150AE of the *Local Government Act 2009* (the LGA). However, this policy does not relate to more serious Councillor conduct.

2. Scope

This policy applies to investigations and determinations of a complaint about the alleged inappropriate conduct of a Councillor/s which has been referred by the Independent Assessor.

3. Definitions

Assessor means the Independent Assessor appointed under section 150CV of the LGA

behavioural standard means a standard of behaviour for Councillors set out in the Code of Conduct approved under section 150E of the LGA

conduct includes—

- (a) failing to act; and
- (b) a conspiracy, or attempt, to engage in conduct

Councillor conduct register means the register required to be kept by Council as set out in section 150DX of the LGA

inappropriate conduct see section 150K of the LGA

investigation policy, refers to this policy, as required by section 150AE of the LGA

investigator means the person responsible under this investigation policy for carrying out the investigation of the suspected inappropriate conduct of a Councillor or Mayor

LGA means the *Local Government Act 2009*

local government meeting means a meeting of—

- (a) a local government; or
- (b) a committee of a local government.

misconduct see section 150L of the LGA

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model procedures see section 150F of the LGA

natural justice a set of principles to ensure fair and just decision making, including a fair hearing, an absence of bias, decisions based on evidence, and the proper examination of all issues.

referral notice see section 150AC of the LGA

Tribunal means the Councillor Conduct Tribunal as established under section 150DK of the LGA

unsuitable meeting conduct see section 150H of the LGA

4. Confidentiality

Matters of suspected inappropriate conduct of a Councillor are confidential except as otherwise specifically provided for either in the LGA or this investigation policy.

Note: It must be kept in mind that the matter is an allegation only and not yet proven. Further, there will be circumstances where the detail of the referral will need to remain confidential to the Local Government. Any release of confidential information that a Councillor knows, or should reasonably know, to be confidential to the local government may be contrary to section 171(3) of the LGA and dealt with as misconduct.

5. Natural Justice

Any investigation of suspected inappropriate conduct of a Councillor/s must be carried out in accordance with natural justice. An overview of the principles of natural justice follows.

"Natural justice" or procedural fairness, refers to three key principles:

- the person being investigated has a chance to have his or her say before adverse formal findings are made and before any adverse action is taken (fair hearing)
- the investigator(s) should be objective and impartial (absence of bias), and
- any action taken is based on evidence (not suspicion or speculation).

A fair hearing means the Councillor who is the subject of the suspected inappropriate conduct matter must be told of the case against them including any evidence and be provided with an opportunity to put their case in writing with the investigation report provided to the Councillors as part of the meeting agenda.

An absence of bias means that any investigation must not be biased or be seen to be biased in any way. This principle embodies the concept of impartiality.

Decisions based on evidence requires that the investigation should not be based on mere speculation or suspicion but instead must be based upon evidence material.

A proper examination of all issues means the investigation must give a proper and genuine consideration to each party's case.

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6. Assessor's referral

The Council may receive from the Assessor a referral notice about the suspected inappropriate conduct of a Councillor/s. Council may also receive referrals directly.

7. Receipt of Assessor's referral

On receipt of a referral notice about the suspected inappropriate conduct of a Councillor/s from the Assessor, the Council's Chief Executive Officer will forward a copy of that referral notice to the Mayor and all Councillors as a confidential document.

Should the Mayor or a Councillor/s (other than the subject of the complaint or the complainant) disagree with any recommendation accompanying the Assessor's referral notice or form the opinion that the complaint should be dealt with in a way other than under this policy, the Mayor or Councillor may request the matter be placed on the agenda of the next Council meeting to decide on the appropriate process to investigate the complaint. Such a request must be made in accordance with the Council's meeting procedure requirements.

8. Investigator

Unless otherwise resolved by Council, the Mayor will manage the investigation of suspected inappropriate conduct of other Councillors.

If the suspected inappropriate conduct involves conduct that in the circumstances, the Mayor believes, it is in the best interests of the investigation to refer the matter for external investigation, then the Chief Executive Officer must refer the suspected inappropriate conduct to the President of the Tribunal to investigate and make recommendations to the Council about dealing with the conduct.

If the suspected inappropriate conduct involves:

- an allegation about the conduct of the Mayor, or
- the Mayor as the complainant, then

the Chief Executive Officer must refer the suspected inappropriate conduct to the President of the Tribunal to investigate and make recommendations to the Council about dealing with the conduct.

9. Early resolution

Before beginning an investigation, the investigator must consider whether the matter is appropriate for resolution prior to the investigation. This consideration includes any recommendation made by the Assessor.

A matter is only appropriate for early resolution if the parties to the matter agree to explore early resolution.

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The investigator may engage an independent person with suitable qualifications or experience to facilitate this process.

If the matter cannot be resolved, the matter will then be investigated as outlined in this investigation policy.

If the matter is resolved prior to investigation, the investigator will advise the Chief Executive Officer of this outcome. In turn, the Chief Executive Officer will advise the Mayor (if the Mayor is not the investigator) and all Councillors that the matter has been resolved. The Chief Executive Officer will also update the Councillor Conduct Register to reflect this.

10. Timeliness

The investigator will make all reasonable endeavors to complete the investigation and provide a report for inclusion on the agenda of a Council meeting no more than eight weeks after the receipt of the complaint.

Note: If the investigator is of the opinion that it may take longer than eight weeks to complete the investigation, the matter should be raised with the Mayor (if the Mayor is not the investigator) to seek an extension of time.

11. Assistance for investigator

If the Mayor is the investigator of a matter of suspected inappropriate conduct, the Mayor may use section 170A of the LGA to seek assistance during the investigation.

The Mayor is authorised by Council to expend money as reasonably needed to engage contractors in accordance with the Council's procurement policy.

12. Possible misconduct or corrupt conduct

If during the course of an investigation the investigator obtains information which indicates a Councillor/s may have engaged in misconduct, the investigator must cease the investigation and advise the Chief Executive Officer. The Chief Executive Officer will then notify the Assessor of the possible misconduct.

If during the course of an investigation, the investigator obtains information which indicates a Councillor/s may have engaged in corrupt conduct, the investigator must cease the investigation and advise the Chief Executive Officer. The Chief Executive Officer will then notify the Crime and Corruption Commission of the possible corrupt conduct.

Instances of suspected misconduct or corrupt conduct may be referred back to the Council if determined by the Assessor or Crime and Corruption Commission to be inappropriate conduct.

13. Completion of investigation

On the completion of an investigation, the investigator will provide a report to the Council outlining the investigation process, the investigation findings, any recommendations about dealing with the conduct and a record of the investigation costs.

The Council will consider the findings and recommendations of the investigator's report and decide whether the Councillor has engaged in inappropriate conduct and, if so, what action it will take under section 150AH of the LGA.

Provisions for internal and external review of decisions are set out in sections 150CO to 150CS of the LGA.

14. Notice about the outcome of investigation

After an investigation is finalised, the Council must give notice about the outcome of the investigation to the person who made the complaint about the Councillor/s' conduct that was the subject of the investigation.

15. Councillor conduct register

The Chief Executive Officer of the respective Council must ensure decisions about suspected inappropriate conduct of a Councillor/s must be entered into the Councillor conduct register.

Where a complaint has been resolved under section 10 of this policy, the Chief Executive Officer will update the register to reflect that the complaint was withdrawn.

16. Expenses

Council must pay any reasonable expenses of Council associated with the informal early resolution or investigation of suspected inappropriate conduct of a Councillor including any costs of:

- the president of the Tribunal in undertaking an investigation for Council
- a mediator engaged under this investigation policy
- a private investigator engaged on behalf of or by the investigator
- travel where the investigator needed to travel to undertake the investigation or to interview witnesses
- seeking legal advice
- engaging an expert.

Note: Council may order the subject Councillor reimburse it for all or some of the costs arising from the Councillor's inappropriate conduct.

Any costs incurred by complainants or the subject Councillors will not be met by Council.

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17. Related Documents

| Document Title |
|--------------------------------------|
| Councillor Code of Conduct |
| Standing Orders for Council Meetings |
| Meeting Procedures |

18. Document History

| Revision Number | Revision Details | Approved By (Officers Name) | Resolution Number | Date |
|-----------------|--|--------------------------------|-------------------|------------|
| 0.1 | DRAFT (from model policy provided by department) | | N/A | 19/11/2018 |
| | | | | |
| | | | | |

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6 ENVIRONMENTAL AND HEALTH SERVICES

6.1 Environmental Levy - Christofides Bros Trust

Document Information

Referring Letter No: 1489544

File No: 342

Name of Applicant: Christofides Bros Trust

Location: Lagoons in Jarvisfield

Author and Title: Ms. Linda Govan – Coordinator Environment and Health

Executive Summary

Christofides Bros Trust has applied for \$2,820 (ex GST) from the Environmental Levy to provide an aerial spray of herbicide to kill water weeds in McAllister, Hughes and Nuttall Lagoons in Jarvisfield. The cost covers the hire of a helicopter and the herbicide.

This is a repeat of an application made in 2017 that was approved and actioned.

Recent discussions with the Lower Burdekin Water indicate they currently maintain the channels leading into and out of the lagoons; are keen to assist with weed removal within the lagoons through use of an excavator; and are interested in a riparian management agreement being set up.

Recommendation

That Council:

1. Approves part funding of an application under the Environmental Levy for \$2,520 to conduct an aerial spray of McAllister, Hughes and Nuttall Lagoons to kill water hyacinth and cumbungi, noting a contribution of \$300 by affected landowners is requested as part of the approval.
2. Agrees to arrange a meeting with affected landowners and Lower Burdekin Water with a view to determining a beneficial maintenance scheme and riparian management agreement for McAllister, Hughes and Nuttall Lagoons.

Background Information

A request has been received for funding under Council's Environmental Levy program from Christofides Bros Trust. This is a repeat of an application made in 2017 that was approved and actioned. The environmental criteria to be assessed are therefore the same.

The request has been assessed against the Environmental Levy criteria established by Council and falls into 4.1.3 - To undertake rehabilitation, care or maintenance of the natural environment in areas such as:

- d) Aquatic weed management;
- e) Wetland management; and
- h) Biodiversity preservation or enhancement.

The McAllister, Hughes and Nuttall Lagoons are infested with water hyacinth, cumbungi and hymenachne. The infestation covers a large area of the lagoons and is too thick in places for a boat spray to be conducted. An aerial spray is the most cost effective method for the removal of the weed. An estimate by a Council Officer is that there is 1000 tonne of wet weight of water weed to be removed from McAllister lagoon alone. Should this weed be flushed out of the system during a wet weather event then the weed will be left on good agricultural land causing productivity losses. The weed may also block a road costing Council money to remove.

Water hyacinth is a weed of national significance and has been identified as a Medium Priority pest plant in the *Burdekin Shire Council Biosecurity Plan 2016-2019*. The impact of the weed is described in the Biosecurity Plan as 'rampant growth of water hyacinth can destroy native habitat and waterways, impacting on native fish and other species, as well as restricting recreational activities (swimming, skiing, and fishing). Large infestations restrict water flows, damage infrastructure and cause flooding and erosion through a damming effect during seasonal flood events.'

Cumbungi is a known non-declared pest weed within the Burdekin Shire. Information provided in *Wetland Plants of the Townsville – Burdekin Flood Plain*, identifies that it is often considered a weed in irrigation channels and drains, altering hydrology, creating anoxic conditions and blocking fish passage.

Hymenachne is a weed of national significance and has been identified as a medium priority pest plant in the Burdekin Shire Council Biosecurity Plan 2016-19. Hymenachne has the capacity to displace native plant species, choke wetlands and impact heavily on recreational and commercial fish stocks.

History:

The landholders have been funding the aerial application of herbicide to control the weeds in seven of the last eight years. Assistance has been sought from Council in 2017 and now again in 2018.

Comments:

McAllister, Hughes and Nuttall lagoons are not currently treated by Council as part of the water weeds program.

Recent discussions with the Lower Burdekin Water indicate they currently maintain the channels leading into and out of the lagoons and are keen to assist with weed removal within the lagoons through use of an excavator.

Link to Corporate/Operational Plan

4.1.3 Protect and enhance the natural environment

Consultation

Verbal discussions with applicant and Lower Burdekin Water.

Legal Authority or Implications

N/A

Policy Implications

N/A

Financial and Resource Implications

If the application is approved funds of \$2,820 will be provided from the Environmental Levy fund.

Depending on the results of the proposed discussions with affected landowners and Lower Burdekin Water on the set up of a new riparian management agreement, further contributions from the Environmental Levy may be required.

Report prepared by:

Ms. Linda Govan – Coordinator Environment and Health

Report authorised by:

Mr. Dan Mulcahy – Manager Environmental and Health Services

Attachments

1. Map of Lagoons to be treated.
2. Current photos of lagoon infestations.



7 CLIENT SERVICES

8 FINANCIAL & ADMINISTRATIVE SERVICES

9 OPERATIONS

9.1 Burdekin Seed Pod Mosaic - Home Hill Comfort Stop

Document Information

| | |
|---------------------------|---------------------------------------|
| File No: | 206 |
| Name of Applicant: | N/A |
| Location: | N/A |
| Author and Title: | Wayne Saldumbide – Manager Operations |

Executive Summary

The Burdekin Seed-pod Mosaic by artist Jenny Mulcahy, was commissioned and installed as part of the Home Hill Comfort Stop development in 2004. The mosaic was installed with a “popper jet” water feature and a plaque which describes the mosaic as “A celebration of the Burdekin’s lushness and fertility made possible by the aquifer.”

The mosaic tiling has received several minor rejuvenations and maintenance treatments over time but has now deteriorated to a point where it requires a major rejuvenation or replacement. A condition assessment carried out by Council Officers states that approximately 40% of the mosaic has lifted away from the floor and that there are sections of tiles where the grout is starting to break away.

Recommendation

That Council engages the Regional Arts Development Fund (RADF) committee to investigate options toward either a major rejuvenation or replacement of the Burdekin Seed Pod Mosaic at the Home Hill Comfort Stop utilising the existing “popper jet” infrastructure to continue to recognise the aquifers significance to the agricultural richness of the shire.

Background Information

A Council resolution was carried (Clause 16.2 – Council Meeting 24 July 2018) requesting that Council Officers prepare a report on the options for rectification of the water feature at the Home Hill Comfort Stop.

A subsequent condition assessment found the mosaic to be in very poor condition with sections of missing tiles. Approximately 40% of the mosaic has lifted away from the floor and there are sections where the grout is starting to break away as well as discolouration and damage to tiles in other sections.

Link to Corporate/Operational Plan

Key Strategic Areas

- 1 Infrastructure
- 1.2 Management and maintenance of community assets
 - 1.2.1 Implement the Asset Management Strategy

- 5 Organisational Sustainability
- 5.3 Commitment to continuous improvement, customer service and accountability
 - 5.3.2 Ensure Council's financial position is effectively managed
 - 5.3.4 Undertake regulatory responsibilities in accordance with legislative regulations

Consultation

Council Workshop 20 November 2018

Legal Authority or Implications

Local Government Act 2009

Local Government Regulation 2012

Policy Implications

N/A

Financial and Resource Implications

Will be dependant on options recommended by RADF committee. Potential to be funded by RADF grant as an art installation.

Report prepared by:

Wayne Saldumbide – Manager Operations

Report authorised by:

Nick Wellwood – Manager Infrastructure, Planning and Environmental Services

Attachments

Nil

9.2 Calling of Tenders to Establish a Register of Pre-qualified Suppliers for the Supply of Electrical Trade Services - Electrical General, Electrical Industrial and Air Conditioning

Document Information

File No: 765, 807
Name of Applicant: N/A
Location: N/A
Author and Title: Gary Keane – Manager Contracts

Executive Summary

Council at its ordinary meeting of the 17 January 2017 adopted a recommendation to accept tenders to establish a register of Pre-Qualified Suppliers – Electrical Trade Services for a period of two years from the date of Council resolution.

As stated in the Conditions of Tendering Clause 4 - Term of Contract, Council reserves the right to extend the contract for a period of twelve months at the end of the original two year contract period. This extension is at the sole discretion of the Principal.

Recommendation

That Council exercises its option to extend contract TBSC/16/012 - Register of Pre-Qualified Suppliers – Electrical Trade Services for an operational period of six months up to and including the 16 July 2019, noting that this will facilitate the separation of future tendering periods and the Christmas period.

Background Information

Council established a register of pre-qualified suppliers under the provisions of the *Local Government Regulations 2012*, Division 3 Section 232.

A local government may enter into a contract without first inviting written quotes or tenders if the contract is entered into with a supplier from a register of pre-qualified suppliers.

A local government may establish a register of pre-qualified suppliers of particular goods or services only if –

- (a) the preparation and evaluation of invitations every time the goods or services are needed would be costly; or
- (b) the capability or financial capacity of the supplier of the goods or services is critical; or
- (c) the supply of the goods or services involves significant security considerations; or

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- (d) a precondition of an offer to contract for the goods or services is compliance with particular standards or conditions set by the local government; or
 - (e) the ability of local business to supply the goods or services needs to be discovered or developed.

This is in line with provisions within Council's Procurement Policy 2018/19.

Link to Corporate/Operational Plan

Key Strategic Areas

1 Infrastructure

1.2 Management and maintenance of community assets

1.2.2 Apply a prioritised and planned system to upgrade and enhance existing facilities.

2 Economic Development

2.2 Encourage innovation

2.2.3 Support the development and expansion of existing business.

5 Organisational Sustainability

5.3 Commitment to continuous improvement, customer service and accountability

5.3.2 Ensure Council's financial position is effectively managed.

5.3.3 Adhere to the governance framework and public reporting systems.

5.3.4 Undertake regulatory responsibilities in accordance with state regulations.

Consultation

Council Workshop on Tuesday 20 November 2018.

Legal Authority or Implications

Local Government Regulations 2012

Chapter 6 Contracting

Division 3: Exceptions for medium-sized and large-sized contractual arrangements

Section 232: Exception for register of pre-qualified suppliers.

Burdekin Shire Council Procurement Policy 2018/19.

Policy Implications

The establishment of a Register of Pre-qualified Suppliers is consistent with the Burdekin Shire Council Procurement Policy 2018/19 as follows:

Clause 3 Objectives states:

The objectives of this policy are to achieve advantageous procurement outcomes by:-

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- (a) promoting value for money with probity and accountability; and
 - (b) advancing Council's economic, social and environmental policies; and
 - (c) providing reasonable opportunity for competitive local businesses that comply with relevant legislation to supply to Council; and
 - (d) promoting compliance with relevant legislation.

Clause 5 Principles states:

Council officers must have regard to the following **sound contracting principles** in all purchasing and disposal activities in accordance with the Local Government Act, Section 104:

5.1 Value for money

Council must harness its purchasing power to achieve the best value for money. The concept of value for money is not restricted to price alone. The value for money assessment must include consideration of:-

- a) contribution to the advancement of Council's priorities; and
- d) internal administration costs; and

5.2 Open and effective competition

Purchasing and disposal should be open and result in effective competition in the provision of goods and services and disposal of assets. Council must give fair and equitable consideration to all prospective suppliers or purchasers.

5.3 The development of competitive local business and industry

Council encourages the development of competitive local businesses within its local government area.

Where price, performance, quality, suitability and other evaluation criteria are comparable, the following areas may be considered in evaluating offers:-

- creation of local employment opportunities;
- more readily available servicing support;
- more convenient communications for contract management;
- economic growth within the local area;
- benefit to Council of associated local commercial transaction.

7.5 Exceptions

Local Government Regulation 2012, Chapter 6 Contracting, Part 3 Default contracting procedures at Division 3 (Sections 229-235) identifies exceptions for medium-sized and large-sized contracts. If one of the exceptions applies, Council may enter into:-

- (a) a medium-sized contract without first inviting written quotes; or

(b) a large-sized contract without first inviting written tenders.

The exceptions are summarized as follows:

Section 232 – Register of pre-qualified suppliers

Financial and Resource Implications

A register of pre-qualified suppliers does not constitute an offer for work however the establishment of a register streamlines the procurement process across Council when engaging providers of Electrical Trade Services - Electrical General, Electrical Industrial and Air Conditioning.

Report prepared by:

Gary Keane – Manager Contracts

Report authorised by:

Wayne Saldumbide – Manager Operations

Attachments

Nil

10 TECHNICAL SERVICES

11 PLANNING & DEVELOPMENT

12 COMMUNITY DEVELOPMENT

13 ECONOMIC DEVELOPMENT

14 NOTICES OF MOTION

15 CORRESPONDENCE FOR INFORMATION

Tabled Separately

16 GENERAL BUSINESS

17 CLOSED MEETING ITEMS

- Groper Creek Effluent Disposal Options

18 DELEGATIONS

