



**Burdekin Shire Council**

# **MINUTES**

## **ORDINARY COUNCIL MEETING**

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

**on 25 June 2019**

**COMMENCING AT 9:55AM**



# Burdekin Shire Council

**TUESDAY 25 JUNE 2019**

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# Burdekin Shire Council

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## **ATTENDANCE**

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

Mr. T. Brennan - Chief Executive Officer  
Mr. N. O'Connor – Director Corporate and Community Services  
Mr. N. Wellwood – Director of Infrastructure, Planning and Environmental Services  
Mr. D. Mulcahy – Manager Environmental and Health Services (Part)  
Mrs. A. Dale – Administration and Records Coordinator  
Mr. S. Johnston – Manager Water and Waste Water (Part)  
Mr. M. Pearce – Senior Planning Officer (Part)

Minutes Clerk – Miss. N. Loizou

## **1 PRAYER**

It was noted that the meeting prayer was delivered by Reverend Dway Goon Chew of the Anglican Church at the commencement of the Special Meeting to adopt the 2019/20 Budget.

## **2 DECLARATIONS OF INTEREST**

The Mayor called for declarations of interest.

No declarations of interest were identified.

## **3 MINUTES AND BUSINESS ARISING**

### **3.1 Ordinary Council Meeting Minutes - 11 June 2019**

#### **Recommendation**

That the minutes of the Ordinary Council Meeting held on 11 June 2019 be received and confirmed.

#### **Resolution**

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

CARRIED

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### **3.2 Local Disaster Management Group Meeting Minutes - 10 May 2019**

#### **Recommendation**

That the minutes of the Local Disaster Management Group Meeting held on 10 May 2019 be received and confirmed.

#### **Resolution**

Moved Councillor Woods, seconded Councillor Goddard that the recommendation be adopted, noting the wording in item 5.5 be changed from “there will be having an upgrade” to “there will be an upgrade.”

CARRIED

### **4 REPORTS**

### **5 GOVERNANCE**

*9.58am – Mr. Mulcahy entered the meeting*

### **6 ENVIRONMENTAL AND HEALTH SERVICES**

#### **6.1 Adoption of Revised Waste Management Policy**

##### **Executive Summary**

Council and staff review the Waste Management Policy annually to determine if any improvements or changes are required.

A review has been undertaken of the policy and a revised version is attached for consideration and adoption.

##### **Recommendation**

That Council adopts the attached revised Waste Management Policy.

##### **Resolution**

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

CARRIED

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## 6.2 Amendments to Waste Fees and Charges 2019/2020

### Executive Summary

The Department of Environment and Science have made slight amendments to two tables used by Council in its fees and charges report. In addition, it is considered more appropriate to use the deemed weights in one of the tables to calculate the appropriate fees and waste levy amounts. In addition, some minor variances have been discovered. This report highlights the changes required to the “Waste Disposal” Section in the Fees and Charges 2019.

### Recommendation

That Council approve the following changes to the 2019/20 Burdekin Shire Council Waste Disposal Fees and Charges:

- Add additional categories for the transfer stations as documented in Table 1 below.
- Add additional categories for the landfill as documented in Table 2 below.
- Changes to rates for the transfer stations as documented in Table 3 below.
- Changes to rates for the landfill as documented in Table 4 below.
- Update of Table 1 and Table 2 in the Waste Disposal fees and charges to reflect changes to legislation.

Table 1: Additional Categories at the Transfer Stations

| Waste Types                                       | Category | Rate           | Comment  |
|---|----------|----------------|--|
| Municipal Solid Waste – Recyclables               | Flare    | Free if sorted | This should have been included in the original fees and charges.   |
| Commercial and Industrial – Waste to transfer bin | Car      | \$11.00        | Originally included as “Car or 240L Bin” however different levy rates now apply to the car component so these have been split. |
| Commercial and Industrial – Recyclables           | Flare    | \$0.00         | This should have been included in the original fees and charges.   |

Table 2: Additional Categories at the Landfill

| Waste Types                                   | Category               | Rate                            | Comment  |
|---|------------------------|---------------------------------|--|
| Commercial and Industrial – Waste to landfill | Car                    | Fee - \$6.87<br>Levy - \$4.13   | Originally included as “Car or 240L Bin” however different levy rates apply to the car component so these have been split. |
| Commercial and Industrial – Waste to landfill | Car with Small Trailer | Fee - \$22.37<br>Levy - \$20.63 | The levy rate for small and large trailers is the same, however Council’s fee is based on the size of the trailer.         |
| Commercial and Industrial – Waste to landfill | Car with Large Trailer | Fee - \$30.37<br>Levy - \$20.63 | The levy rate for small and large trailers is the same, however Council’s fee is based on the size of the trailer.         |

Table 3: Changes to Rates at the Transfer Stations

| Waste Types                                       | Category      | Rate                                     | Comment  |
|---|---------------|--|--|
| Commercial and Industrial – Waste to transfer bin | Bag/bin 140L  | Old Rate - \$8.00<br>New Rate - \$6.00   | Rate reduced as deemed weight for 140L bin was used to calculate levy component. |
| Commercial and Industrial – Waste to transfer bin | 240L Bin      | Old Rate - \$11.00<br>New Rate - \$10.00 | Rate reduced as deemed weight for 240L bin was used to calculate levy component. |
| Commercial and Industrial – Waste to transfer bin | Small Trailer | Old Rate - \$32.00<br>New Rate - \$36.00 | Rate changed to correct error in Levy Calculation                                |

Table 4: Changes to Rates at the Landfill

| Waste Types                                   | Category     | Rate  | Comment  |
|---|--------------|---|--|
| Commercial and Industrial – Waste to landfill | Bag/bin 140L | Old Rate - \$8.00<br>New Rate - \$6.00<br><br>Fee - \$4.27<br>Levy - \$1.73 | Rate reduced as deemed weight for 140L bin was used to calculate levy component. Council fee adjusted to round charge. |

|   |               |   |  |
|---|---------------|---|--|
| Commercial and Industrial – Waste to landfill | 240L Bin      | Old Rate - \$11.00<br>New Rate - \$10-00<br><br>Fee - \$7.03<br>Levy - \$2.97       | Rate reduced as deemed weight for 240L bin was used to calculate levy component. Council fee adjusted to round charge. |
| Commercial and Industrial – Waste to landfill | Small Trailer | Old Rate - \$31.50<br>New Rate - \$36-00<br><br>Fee - \$15.37<br>Levy - \$20.63     | Rate changed to correct error in Levy Calculation  |
| Regulated Waste – Waste to Landfill           | Biosolids     | Old Rate - \$220.50<br>New Rate - \$253.50<br><br>Fee - \$138.00<br>Levy - \$115.50 | Old rate included standard waste levy of \$82.50. Should have been regulated waste category 2 levy of \$115.50.        |

### **Resolution**

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

CARRIED

## **6.3 Report - North Queensland Regional Organisation of Councils (NQROC) - Memorandum of Understanding - Energy from Waste (EfW) Options**

### **Executive Summary**

The North Queensland Regional Organisation of Councils (NQROC) has been discussing the investigation of regional Energy from Waste (EfW) options that will benefit the community and divert waste from landfill.

A Memorandum of Understanding (MOU) has been prepared by NQROC and Council has been requested to commit to the document.

### **Recommendation**

That Council agrees to be a party to the Memorandum of Understanding (MOU) developed by the North Queensland Regional Organisation of Councils (NQROC) dealing with investigating energy from waste (EfW) options for the region provided that:

- all parties have the option of opting out of the agreement following the feasibility study stage; and
- the feasibility study includes an examination of the end of waste code for biosolids and the use of biosolids as a feedstock.



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## **Resolution**

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

CARRIED

## **6.4 Sole Supplier - Waste Management Software**

### **Executive Summary**

Approval is sought to use a sole supplier for provision of modifications to existing waste management software required to implement the State government waste levy.

### **Recommendation**

That Council resolves, in accordance with the *Local Government Regulation 2012*, Section 235 (a), that it is satisfied there is only 1 supplier, being TipSite Systems Pty Ltd, who is reasonably available to provide the modifications to existing waste management software required to implement the State government waste levy.

### **Resolution**

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

CARRIED

*10.00am – Mr. Pearce entered the meeting*

## **7 CLIENT SERVICES**

## **8 FINANCIAL & ADMINISTRATIVE SERVICES**

### **8.1 Monthly Financial Report for Period Ending 31 May 2019**

#### **Recommendation**

That the Monthly Financial Report for Period Ending 31 May 2019 be received.

#### **Resolution**

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

CARRIED

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## 9 OPERATIONS

## 10 TECHNICAL SERVICES

## 11 PLANNING & DEVELOPMENT

### 11.1 Development Application - Material Change of Use for Water Sports Shop and Shed as an addition to existing Alva Beach Tourist Park at 20-36 Braby Street, Alva (Lots 1 & 2 on SP232085)

#### Executive Summary

Council has received a Development Application from KPT Diving and Marine Services seeking a development permit for a Material Change of Use for a Water Sports Shop and Shed as an addition to existing Alva Beach Tourist Park at 20-36 Braby Street, Alva (Lots 1 & 2 on SP232085).

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

#### Recommendation

That Council approves the Development Application for a Material Change of Use for a Water Sports Shop and Shed as an addition to existing Alva Beach Tourist Park at 20-36 Braby Street, Alva (Lots 1 & 2 on SP232085) subject to the following conditions:

#### General

1. (a) The development and conduct of the approved use of the premises, the carrying out and maintenance of any works on the premises and construction and maintenance of any building on the premises must be generally in accordance with the applications supporting material including all drawings/documents identified in the Table below, except where modified by the conditions of this Development Permit and any approval issued there under.

| Document/Title                 | Plan No:           | Date received |
|--------------------------------|--------------------|---------------|
| Layout Plan                    | 5763 02 S100 Rev B | 26.3.19       |
| Alva Beach Tourist Park Layout |                    | 30.4.19       |

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

### **Compliance with conditions**

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

### **Outstanding charges**

- 3. All rates and charges (including regulated infrastructure charges), in arrears in respect of the land, subject of the application, are paid in full prior to the commencement of the proposed use.

### **Notice of Intention to commence the use**

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

### **Public Utility Services/Damage**

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

### **Building Work**

- 6. A development permit for Building Works/Demolition is to be obtained before any triggered assessable works are carried out on the premises.

### **Access and Carparking**

- 7.1 Parking space and layout must be designed in accordance with the provisions contained in the supporting material included in the plans submitted with the application by 'Contour'.
- 7.2 Access to the premises, car parking and manoeuvring areas must be constructed in an all-weather low glare paving, exposed aggregate concrete or similar dust suppressant material to the satisfaction of the Chief Executive Officer.

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- 7.3 Provide a drawing showing turning movements of the tractor/boat combination manoeuvring into and out of the site, including all traffic control arrangements certified by an accredited Traffic Control Organisation.
- 7.4 The construction of any additional crossovers to give access to the land is to be the owner's responsibility and to the satisfaction of the Chief Executive Officer.

### **Amenity - Lighting**

8. Any night and outdoor lighting must be designed, conducted and operated in accordance with 'AS 4282 – Control of the obtrusive effects of outdoor lighting'.

### **Operational Works**

9. Where operational works are required to be carried out as part of any development permit issued, the developer must, within the timeframes required by the Planning Act 2016 and prior to the commencement of any work, lodge with Council an application for a development permit for operational works. As part of such application, the developer must submit:-
- (a) detailed and complete engineering drawings and specifications of the proposed works prepared by a civil engineer, who is both registered under the Professional Engineer's Act 2002 and is a current Registered Professional Engineer of Queensland; and
  - (b) a certificate from the engineer who prepared the drawings stating that the design and specifications have been prepared in accordance with these conditions, relevant Council Codes and Planning Scheme Policies and the relevant Australian Standard Codes of Practice;

### **Environment and Health**

- 10.1 No release of contaminants, including, but not limited to dust, fumes, odour or aerosols or emission of noise is to cause or be likely to cause an environmental nuisance beyond the boundaries of the premises to which this development permit relates.
- 10.2 Upon receipt of a complaint regarding the emission of dust, light, odour or other air or noise emission, the operator must within a reasonable period of time:
- a. take any actions necessary to resolve the complaint, and
  - b. implement abatement measures to minimise the emissions from the site.
- 10.3 Where a complaint is made about noise from the activity, that is considered reasonable by an authorised officer and cannot be resolved by the operator of the activity subject of this approval, the emission of noise from the development must not result in levels greater than those specified in Table 1 until the circumstances which gave rise to the complaint are resolved.

Table 1: Noise Limits (dBA)

| NOISE LIMITS MEASURED AT THE FACADE OF THE NEAREST NOISE SENSITIVE PLACE |                       |                         |
|--|-----------------------|-------------------------|
| Period   | Measured as $L_{Aeq}$ | Measured as $maxL_{pA}$ |
| 7am – 6pm  | 55                    | 60                      |
| 6pm – 10pm   | 50                    | 55                      |
| 10pm – 7am   | 45                    | 50                      |

- 10.4 All spillage of waste, oils, chemicals or similar materials shall be cleaned up as soon as practical. Such spillage shall not be cleaned up by hosing, sweeping or otherwise releasing such wastes or contaminants to the land, stormwater or any roadside.
- 10.5 A spill kit must be maintained on site for use on spillages of any materials stored on site and be readily accessible at all times.
- 10.6 Chemicals must be stored in a bunded area undercover or other location whereby any spillage will not discharge to the ground or any area subject to stormwater or stormwater runoff.
- 10.7 Oils, fuels, other liquids must be stored in a bunded area undercover or other location whereby any spillage will not discharge to the ground or any area subject to stormwater or stormwater runoff. Any bunding provided shall be constructed and sized in accordance with AS 1940- The storage and handling of flammable and combustible liquids.
- 10.8 All repairs are to be conducted in a dedicated area that has a sealed surfaced drained to a collection sump suitable for the collection of contaminants such as oils, fuels, coolants and chemicals.
- 10.9 All wash-down waters from the washing of vehicles, trailers, plant or equipment must be contained and collected and disposed of to an approved facility. Wash-down waters must not be discharged to stormwater or on land subject to stormwater runoff.
- 10.10 All solid wastes or other materials likely to produce contaminants shall be stored in bins with lids in a place to prevent the ingress of stormwater.
- 10.11 There shall be no release of litter or contaminants from the site to any roadside, drain or waters.
- 10.12 Lighting used to illuminate any areas of the premises shall be angled or shaded in such a way that lighting does not directly illuminate any nearby premises or roadways in such a manner as to constitute an environmental nuisance.

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**Advice Only;**

- *The activity must be operated in accordance with Council's Waste Management Policy and the Environmental Protection (waste management) regulation 2000.*

**Resolution**

Moved Councillor Liessmann, seconded Councillor Goddard that the recommendation be adopted, noting the wording in clause 10.2 is changed from "upon receipt of a complaint" to "upon receipt of a substantiated complaint," and in clause 10.3 from "where a complaint is made" to "where a substantiated complaint is made."

CARRIED

*10.43am – Mr. Pearce left the meeting*

**12 COMMUNITY DEVELOPMENT****13 ECONOMIC DEVELOPMENT****14 NOTICES OF MOTION****15 CORRESPONDENCE FOR INFORMATION****15.1 Request for Council Approval - Use of Council Bus - Osborne State School****Resolution**

Moved Councillor Perry, seconded Councillor Bonanno that Council approve the use of the Council Bus on 19 July 2019, to transport students from Osborne State School to and from the Possum Magic Show at the Burdekin Theatre, subject to a Councillor being available to drive the bus.

CARRIED

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## **15.2 Request for Council Support - Monetary Contribution - Community Access Road - Elliot River Progress Association**

### **Resolution**

Moved Councillor Bawden, seconded Councillor Woods that Council write to the Elliot River Progress Association confirming that it will not be providing a monetary contribution to the upgrade of the community access road as it is not located within the Shire.

CARRIED

## **16 GENERAL BUSINESS**

### **16.1 Request for Council Support - Attendance of Councillor McLaughlin at Luncheon**

#### **Resolution**

Moved Councillor Woods, seconded Councillor Perry that Council supports the attendance of Councillor McLaughlin to attend a luncheon with State Opposition leader Deb Frecklington in Townsville on 26 June 2019, with any expenses to attend the luncheon being met by Council.

CARRIED

*10.50am – Mr. Johnston entered the meeting*

## **17 CLOSED MEETING ITEMS**

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

#### **Resolution**

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

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

CARRIED

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## **Council Meeting opened to Public**

### **Resolution**

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

CARRIED

*12.03am – Mr. Johnston and Mr. Mulcahy left the meeting.*

### **17.1 Confidential Report TBSC/19/006 Tender for the Cleaning Services of the Council Administration Building and Council's Jones Street Depot**

#### **Background**

The Local Government Regulation Queensland 2012 requires Council to invite written tenders for large-sized contractual arrangements for goods and services purchased from a supplier that is expected to exceed \$200,000 ex GST per financial year. The purchase of Cleaning Services as a combined contract for Council Administration Building and Jones Street Depot fell within this category.

Tenders were called for the Cleaning Services of the Council Administration Building and Jones Street Depot (TBSC/19/006) closing on Monday 10 June 2019. Following assessment of the four tenders received for each site, the recommendation is to accept two separate tenders, one supplier dedicated at each site.

The tender documentation allows Council to accept a Tender in part or in whole.

#### **Resolution**

Moved Councillor Woods, seconded Councillor Goddard that Council awards Contract TBSC/19/006 – Cleaning Services of the Council Administration Building and Council's Jones Street Depot to the following;

1. Council Administration Building be awarded to ELA Cleaning Professionals; and
2. Jones Street Depot be awarded to Biniris Aust Pty Ltd.

CARRIED

### **17.3 Confidential Report Bi-Annual Staff Accrued Annual and Long Services Leave Entitlements Report**

#### **Background**

The purpose of this report is to provide Council with an update on current Annual Leave and Long Service Leave accrued entitlements for staff.



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## **Resolution**

Moved Councillor Perry, seconded Councillor Woods the Staff Accrued Annual Leave and Long Service Leave Entitlement Reports be received and noted.

CARRIED

### **17.2 Confidential Report - Algal Bioremediation Proposal Ayr/Brandon Waste Water Treatment Plant - Pacific Bio**

#### **Background**

The Burdekin Shire Council and Pacific Bio have been in discussions for some time to seek funding to enable a full-scale pilot Macroalgal Bioremediation project at the Ayr/Burdekin WWTP. An agreement to work together and share intellectual property rights is required to realise the MIPP2 funding approval of \$123,636 from the State Government towards the “for construction” design of the facility. The completion of this design will elevate the likelihood of obtaining funding for the project in future funding programs, including the Reef Major Integrated Projects (MIP) program. The execution of a Term Sheet is necessary to reflect the intention of the Council and Pacific Bio to work in partnership to achieve these outcomes.

#### **Resolution**

Moved Councillor Liessmann, seconded Councillor Perry that:

- i) Council execute the Term Sheet – Bioremediation Service Agreement with Pacific Biotechnologies to enable Council to progress the State Government MIPP2 funded project, with both parties working towards securing suitable funding to enable construction of the project.
- ii) Following execution of the Term Sheet by both parties that Council enter into an agreement with Pacific Biotechnologies design partner SMEC Consulting to undertake the “for construction” design of the Macro Algal Bioremediation facility at the Ayr/Brandon Wastewater Treatment Plant.

CARRIED

## **18 DELEGATIONS**

There being no further business the meeting closed at 12.06pm.

**These minutes were confirmed by Council at the Ordinary Council Meeting held on 9 July 2019.**

**MAYOR**

