



Burdekin Shire Council

AGENDA

ORDINARY COUNCIL MEETING

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

on 8 October 2019

COMMENCING AT 9:00AM

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Burdekin Shire Council

TUESDAY 8 OCTOBER 2019

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1 PRAYER

2 DECLARATIONS OF INTEREST

3 MINUTES AND BUSINESS ARISING

3.1 Ordinary Council Meeting Minutes - 24 September 2019

Recommendation

That the minutes of the Ordinary Council Meeting held on 24 September 2019 be received and confirmed.



Burdekin Shire Council

MINUTES

ORDINARY COUNCIL MEETING

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

on 24 September 2019

COMMENCING AT 9:00AM



Burdekin Shire Council

TUESDAY 24 SEPTEMBER 2019

ORDER OF BUSINESS:

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Ordinary Council Meeting 24 September 2019



Burdekin Shire Council

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ATTENDANCE

Councillors L.A. McLaughlin (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. S. Great - Manager Planning and Development (Part)

Minutes Clerk – Ms. G. Biffanti

Apologies: Councillor S.P. Perry (Deputy Mayor) (Approved Leave of Absence)

1 PRAYER

The meeting prayer was delivered by Reverend Dway Goon Chew of the Anglican Church.

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 - 10 September 2019

Recommendation

That the minutes of the Ordinary Council Meeting held on 10 September 2019 be received and confirmed.

Resolution

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

CARRIED

3.2 Audit Committee Meeting Minutes - 21 August 2019

Recommendation

That the minutes of the Audit Committee Meeting held on 21 August 2019 be received and adopted.

Resolution

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

CARRIED

4 REPORTS

5 GOVERNANCE

6 ENVIRONMENTAL AND HEALTH SERVICES

7 CLIENT SERVICES

9.08am – Mr. Great entered the meeting.

8 FINANCIAL & ADMINISTRATIVE SERVICES

8.1 Monthly Financial Report for Period Ending 31 August 2019

Recommendation

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

Resolution

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

CARRIED

9 OPERATIONS

10 TECHNICAL SERVICES

11 PLANNING & DEVELOPMENT

11.1 Development Application Material Change of Use for Intensive Animal Husbandry (Cattle Feedlot) at Ted Walsh Road, Kirknie (Lot 1 on SP203334)

Executive Summary

Council has received a Development Application from KA Lund seeking a development permit for a Material Change of Use Intensive Animal Husbandry (Cattle Feedlot) at Ted Walsh Road, Kirknie (Lot 1 on SP203334).

The proposal is for a defined use (Intensive Animal Husbandry) 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 Intensive Animal Husbandry (Cattle Feedlot) at Ted Walsh Road, Kirknie (Lot 1 on SP203334) subject to the following conditions:

General

- 1.1 The conditions of the development permit must be effected prior to the commencement of the use, except where specified otherwise in these conditions of approval.
- 1.2 All rates and charges, in arrears in respect of the land, subject of the application, are paid in full prior to the commencement of the proposed use.
- 1.3 The development and conduct of the approved use of the premises and the construction and maintenance of any building on the premises must be generally in accordance with the supporting material included in the application. (except where modified by the conditions of this Development Permit and any approval issued there under).

BUILDING WORK

2. A development permit for all assessable building works is to be obtained before any building works are carried out on the premise.

NOTICE OF INTENTION TO COMMENCE THE USE

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

EXTERNAL WORKS

4. The developer must at its own cost undertake all necessary alterations to public utility mains and services as are rendered necessary by the carrying out of any required external works or other works associated with the approved development.

ROADWORKS

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

DRAINAGE

6. The approved development and use(s) must not interfere with the natural flow of stormwater in the locality in such a manner as to cause ponding or concentration of stormwater on adjoining land or roads.

WASTE MANAGEMENT PLAN

7. Prior to commencement of use, the applicant is to provide a Waste Management Plan. The plan must include but is not limited to:
 - Details on how any putrescible organic waste discharges to the environment will be managed to control unacceptable levels of odours, flies and vermin;
 - Details of how all other wastes will be disposed of or utilised so as not to cause any significant contamination of surface or groundwater.

WATER QUALITY

8. Activities must be conducted in a manner so that any runoff meets Queensland Water Quality Guidelines to provide for a slightly to moderately disturbed ecosystem level of protection.

ADVICE ONLY

- Council will not be obligated to upgrade any roads accessing the development due to increased vehicle numbers accessing the development.

-
- Activities must be conducted in a manner that does not cause a dust, odour or noise nuisance to neighbouring occupants.
 - An Environmental Authority from DAF (Department of Agriculture and Fisheries) may be required.

Resolution

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

CARRIED

9.20am – Mr. Great left the meeting.

12 COMMUNITY DEVELOPMENT

13 ECONOMIC DEVELOPMENT

14 NOTICES OF MOTION

15 CORRESPONDENCE FOR INFORMATION

16 GENERAL BUSINESS

16.1 Approved Leave of Absence - Councillor Woods - 30 October to 1 November 2019

Resolution

Moved Councillor Goddard, seconded Councillor Bonanno that Councillor Woods be granted a leave of absence from 30 October to 1 November 2019.

CARRIED

16.2 Approved Attendance - Councillors McLaughlin and Woods - Townsville Enterprise Limited Annual General Meeting on 4 October 2019 and North Queensland Tourism and Events Awards on 18 October 2019

Resolution

Moved Councillor Liessmann, seconded Councillor Bawden that Council approves Councillors McLaughlin and Woods attendance at:

- The Townsville Enterprise Limited Annual General Meeting to be held on 4 October 2019; and
- The North Queensland Tourism and Events Awards held on 18 October 2019.

With any costs of attendance to be met by Council.

CARRIED

17 CLOSED MEETING ITEMS

18 DELEGATIONS

18.1 Australian Citizenship Ceremony

10:15am – Citizenship Ceremony – The Mayor officiated at the ceremony and delivered a message from The Honourable David Coleman MP, Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs.

Citizenship Candidates:

Mrs. Chery Pascual Dela Cruz (Philippines)
Mr. Scott Brian John Green (United Kingdom)
Mr. Satish Chandra Choudary Kadiyala (India)
Ms. Alice Makufa (Zimbabwe)
Mrs. Sridivya Sappa (India)
Ms. Deborah Michele Thom (New Zealand)
Mr. Kelemedi Salauneune Vosuqa (Fiji)

There being no further business the meeting closed at 11.10am.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 8 October 2019.

MAYOR

3.2 Burdekin Shire Youth Council Meeting Minutes - 16 September 2019

Recommendation

That the minutes of the Burdekin Shire Youth Council Meeting held on 16 September 2019 be received and adopted.

Burdekin Shire Council

Minutes – Burdekin Shire Youth Council Meeting held on 16 September 2019

Held in the John Drysdale Chamber
The meeting commenced at 3.30pm

CLAUSE 1 ATTENDANCE

Sarah McDonnell – Youth Mayor
Emily Holmes – Deputy Youth Mayor
Jocelyn Eaton – Secretary
Cleo Delle Baite – St Francis Primary School
Mikayla McDonnell – Ayr State High School
Michael Lindley – Brandon State School
Mylee Kovacich – Clare State Primary School
Zachary Sutcliffe – Burdekin Christian College

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

Apologies for absence

Alyssia Guy – Burdekin Catholic High School
Jake Abraham – Ayr State High School
Jessica Holmes – Burdekin Christian College
Lexi Favero – Burdekin Catholic High School
Mylee Kovacich – Clare State Primary School
Zavier Wood – Ayr State High School

CLAUSE 2 MINUTES RECEIVED

Moved Michael Lindley, seconded Mikayla McDonnell that the Minutes of the Burdekin Shire Youth Council Meeting held on 19 August 2019 be received.

CARRIED

CLAUSE 3 BUSINESS ARISING FROM THE MINUTES

- Clause 7 – Sarah McDonnell reported on the assistance provided to the Burdekin School P&C during the Burdekin Water Festival. Appreciation was forwarded to members Mylee Kovacich, Alyssia Guy & Sarah McDonnell for volunteering their time.
 - Clause 7 – Appreciation was forwarded to members Lexi Favero, Alexa Mann and Sarah McDonnell for helping out at the official opening of Plantation Park Nature Play & Visitor Information Centre. It was noted that this event was well supported, and members thought the new area and facilities were a great addition to the community.
-

CLAUSE 4 CORRESPONDENCE

Inward Correspondence

NIL

Outward Correspondence

NIL

CLAUSE 5 UPDATE ON MENTAL HEALTH WEEK ACTIVITIES AND ASSISTANCE AT OUTDOOR FAMILY MOVIE NIGHT.

Tammy Quagliata advised that members would be sought to assist with serving/selling pizza, popcorn & drinks at the Outdoor Movie Night to be held in the Burdekin Theatre Forecourt on Saturday 12th October 2019. Members would be emailed with roster details.

Movie suggestions with a 'mental health week theme' included Inside Out, Wonder and The Lorax. Tammy Quagliata undertook to advise members once a movie was chosen.

A poster for Mental Health Week activities was circulated and members were encouraged to attend some of the many free activities on offer including Love Out Loud sessions, the Outdoor Family Movie Night & Pilates and Pancakes.

CLAUSE 6 FINAL DESIGN FOR NEW YOUTH COUNCIL LOGO AND SHIRTS

Tammy Quagliata tabled the final design of the new Youth Council Logo and shirts (as below), which would be ordered this week. It is expected the shirts will arrive in time for the Community Christmas Carols event. Members would be contacted via email regarding sizing.



It was noted that shirts would be provided free of charge to all active members, with the expectation that they would be returned when no longer an active member of the Youth Council.

It was further advised that new designs for pop up banners and signage would be sought and costings tabled at the next meeting.

CLAUSE 7 GENERAL BUSINESS

2019 'Fast Track to Fame' Winner Competes in National Final

Tammy Quagliata noted that the 2019 'Fast Track to Fame' Winner, Harry Nuttall competed in the National Fast Track Finals Showcase in Melbourne over the weekend. Although Harry did not win anything, he was very grateful for the experience and enjoyed every moment. The other winner, Taia Favale was unable to attend due to exam commitments, however another opportunity would be offered to her in the future.

Announcement of 2020 Fast Track SAVE THE DATE – 21 March 2020

Members discussed timing to announce a 'Save The Date' for Burdekin Fast Track 2020. It was agreed that a Save the Date would be announced at the beginning of Term 4 following the school holidays.

Membership Drive for 2020 Youth Council

Tammy Quagliata sought ideas for a membership drive for new members in 2020. Sarah McDonnell suggested a fun promo video promoting what Youth Council do. Sarah and Tammy undertook to work together on this. Cr. McLaughlin suggested that messages from former members might be good to add to the video.

Ayr State High School Recycling Initiative

Sarah McDonnell provided information on the new Ayr State High School Recycling Initiative including support for the Lids for Kids and Containers for Change program. Sarah sought Youth Council's support in promoting the initiative. More information would be provided on how Youth Council can help during Term 4.

Youth Council Member, Sarah McDonnell chosen as National Youth Science Forum Representative

Sarah McDonnell advised that she was successful in her application to attend the National Science Forum to be held in either Brisbane or Canberra later in the year. Sarah was chosen with one other representative from Ayr State High School. Mayor Lyn McLaughlin and members congratulated Sarah on her successful nomination.

Members Updates

Youth Council members were each given the opportunity to give an update on something happening within their schools, sporting clubs or community.

NEXT MEETING – 14 October 2019

There being no further business, the meeting closed at 4:20pm

Sarah McDonnell
YOUTH MAYOR

Meeting Minutes taken by Jocelyn Eaton & Tammy Quagliata.

4 REPORTS

4.1 Council Workshops - September 2019

Document Information

Referring Letter No: N/A

File No: 1394

Name of Applicant: N/A

Location: N/A

Author and Title: Mr. Terry Brennan – Chief Executive Officer

Executive Summary

The Council conducted workshops on 3 and 17 September 2019 with a range of policy and operational issues discussed.

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

Recommendation

That the report on the Council workshops held on 3 and 17 September 2019 be received and noted.

Background Information

In the later part of 2016 the Council adopted governance arrangements based on holding Council meetings on a fortnightly basis each month, with the exception of December and January each year. In conjunction with this decision it also agreed to conduct workshops with councillors on the alternate week to scheduled Council meetings.

During the past month workshops were held on 3 and 17 September 2019. The workshops covered a range of policy and operational issues. A brief summary of the issues discussed at the workshops is outlined below:

3 September 2019

- Community Consultation – Six Monthly Rating
- Development Application – Sand Extraction Haughton River
- Concept Design for Vacuum Pump – Lions Park Diorama, Home Hill
- Park Master Planning – Home Hill
- Proposed Arrangements concerning PCYC, Showgrounds Multi-purpose Hall and Lower Burdekin Gymnastics
- North Qld Regional Plan

-
- Ayr Town Water Supply update
 - 4807 Sign location
 - Notification of General Business matters for Council Meetings

17 September 2019

- Civil Operations Section – Reorganisation and Refocus
- Works for Qld (Round 3) – Footpath priorities
- Draft Animal Management strategy
- Christmas Closedown dates – 2019
- Review of Australia Day Award categories
- Burdekin Theatre overview
- Project Plan for review of Council Advisory Committee structure
- Timing of October workshops

Link to Corporate/Operational Plan

5.3.1 Demonstrate open and transparent leadership

Consultation

Consultation was undertaken with various parties in the presentation of the workshop topics.

Legal Authority or Implications

N/A

Policy Implications

Any policy proposals are subsequently referred to a Council meeting via a report for consideration and if approved adoption.

Financial and Resource Implications

As highlighted in the workshop presentations.

Report Prepared By:

Mr. Terry Brennan - Chief Executive Officer

Report Authorised By:

Mr. Terry Brennan - Chief Executive Officer

Attachments

N/A

5 GOVERNANCE

6 ENVIRONMENTAL AND HEALTH SERVICES

6.1 Proposed Agreement with Home Hill Boat Club

Document Information

Referring Letter No: N/A

File No: 1971

Name of Applicant: Home Hill Boat Club

Location: Groper Creek

Author and Title: Mr. Dan Mulcahy – Manager Environmental and Health Services

Executive Summary

Council has been negotiating with the Home Hill Boat Club (HHBC) for a lengthy period of time in relation to updating an agreement that was originally signed by both parties in 2006. Under the existing agreement, Council has been paying the HHBC an amount of \$14,400 per annum to perform certain services in the Groper Creek area. This amount has not changed since 2006.

In addition, discussions have also been held in relation to increasing the current contribution from the HHBC towards the costs of the effluent pump outs.

The HHBC have now replied to the Council's latest offer and a recommendation is provided to advance the matter.

Recommendation

That Council enter into a new agreement with the Home Hill Boat Club based on the revised responsibilities and obligations outlined in Appendix A, noting that the Council's contribution under the agreement will be \$23,067 per annum, and subject to the Home Hill Boat Club making a contribution towards the cost of the effluent pump outs and removal based on \$5/night/caravan park site for 7 days/week commencing 1 October 2019, to be revised in December 2020.

Background Information

Council has been negotiating with the Home Hill Boat Club (HHBC) for a lengthy period of time in relation to updating an agreement that was originally signed by both parties in 2006. Under the existing agreement, Council has been paying the HHBC an amount of \$14,400 per annum to perform certain services. This amount has not changed since 2006.

The agreement outlines certain responsibilities and obligations to be performed by both parties in the Groper Creek locality in respect of the following areas:

- Roads
- Water supply
- Effluent disposal
- Electricity
- Storage shed and high-level storage
- Ablutions facility
- Mowing
- Refuse collection
- General maintenance
- Black water dump point

Following discussions and negotiations on the above matters Council agreed to a revised set of responsibilities and obligations and a revised fee payable to HHBC of \$23,067 (inc. GST) per annum.

Attached as Appendix A is a summary listing of the responsibilities and obligations of the Council and the Home Hill Boat Club as at 2006 and for that proposed for 2019 onwards.

As part of the above negotiations, Council has also requested that the contribution from the Home Hill Boat Club towards the costs of the effluent pump outs and removal be increased from \$3/night/site for 6 days/week to be increased to \$5/night/site for 7 days/week.

By letter dated 19 September 2019, the HHBC advised as follows:

- Accepted the offer of \$23,067 (inc. GST) per annum in respect of the proposed agreement; and
- Accepted to pay to the Council a contribution towards the cost of the effluent pump outs and removal based on \$5/night/site for 7 days/week commencing 1 October 2019, to be revised in December 2020.

Link to Corporate/Operational Plan

5.3.5 Improve methods of service delivery to the community based on innovation, feedback and review processes.

Consultation

Council representatives have met with representatives of the Home Hill Boat Club on numerous occasions. Council has discussed the matter at various workshops including 16 April 2019 and 19 March 2019.

Legal Authority or Implications

Nil

Policy Implications

Nil

Financial and Resource Implications

The new agreed rate of \$23,067 will translate to an operational budget increase of approximately \$6,500 (inc. GST) for the period 1 October 2019 to 30 June 2020.

Report Prepared By:

Mr. Dan Mulcahy – Manager Environmental and Health Services

Report Authorised By:

Mr. Nick Wellwood – Director Infrastructure, Planning and Environmental Services

Attachments

1. Appendix A – Proposed Agreement with Home Hill Boat Club

APPENDIX A - PROPOSED AGREEMENT WITH HOME HILL BOAT CLUB

COUNCIL RESPONSIBILITIES

ITEM	PARTICULARS 2006	COMMENTS	PROPOSED PARTICULARS 2019
Roads	Maintain existing road traversing the leased land from the existing bitumen road entry to the boat ramp Maintain the existing roads in front of the dwelling houses		Council to maintain all bitumen roads
Water Supply	Maintain any water supply which might be provided for public use including that provided to the jetty in working order	No water to Jetty. Drinking fountain at Playground area Taps along front - for use by public and caravan park	Maintain any water supply which might be provided for public use including drinking fountain at Playground area
Effluent Disposal	If council so determines - responsible for the installation and maintenance of infrastructure to provide an effluent disposal scheme to service the locality including the camping and caravan park areas. Council shall install a mobile home dump point to safeguard the operation and performance of the above system.	This section to be deleted. It was a reference to installation of proposed infrastructure to service the whole locality due to the non-operation of the ablation facility.	To be deleted
Playground	Maintenance (other than cleaning and tidying) and capital improvements.		Maintenance including cleaning and tidying and replacement of sand after flood events
Ablutions Facility on Council land	Structural maintenance on the building	Problematic in defining structural maintenance. Suggested to include fixture replacement. Council resolution 11 July 2017 - Council to be responsible for costs of urinal replacement, HHBC responsible for repairs to 4 shower doors.	Council to be responsible for structural maintenance, fixture/fittings replacement, maintenance, painting and pump out costs
Refuse Collection (NEW)	Nil provision in 2006		Provide for 2 x 240L red bins to be picked up.
Black Water Dump Point (NEW)	Nil provision in 2006	HHBC have installed a black water dump point at their cost. Suggestion that the \$3/night/site contribution be increased from 6 nights to 7 nights per week to cover cost of emptying the dump point. BSC have determined that the dump point septage can be brought to the Ayr WWTP. Ablution effluent also goes to Ayr WWTP.	Council to pump out black water dump point installed by HHBC on the proviso that the HHBC increase their financial contribution to cover the cost, e.g. suggestion that the \$3/night/site be increased to \$5/night/site and from 6 nights to 7 nights per week.

HHBC RESPONSIBILITIES

ITEM	PARTICULARS 2006	COMMENTS - 17 Dec 2018	PROPOSED PARTICULARS 2019	2006 FEE	2019 FEE
Roads	Maintain any internal roads servicing the van sites		No change		
Water Supply	Supply and maintain water for internal use required for camping and caravan park purposes Fill public water tanks on leased and adjoining lands at least 3 times in any 2 week period (or such other frequencies as deemed satisfactory to council) to enable provision of adequate water for public use excluding that water required for the jetty Supply for purposes including showers and washing facilities handbasins and drinking water for the playground	Currently 78 loads @ 13,000l /load New charges now apply - \$2-30/kl No water required for Jetty now.	Supply and maintain water for internal use required for camping and caravan park purposes Supply both potable and bore water for public facilities such as ablutions facility, boat wash, filling tables, picnic tables and gazebos. Supply taps with bore water for general hosing and irrigation of grass on public land in front of houses along the esplanade area. Above taps do not include taps within Caravan Park area Fill water tank on leased and adjoining lands at least 3 times in any 2 week period (or such other frequencies as deemed satisfactory to council) to enable provision of adequate water for public use Supply for purposes including showers and washing facilities handbasins and drinking water for the playground	\$ 3,900	\$ 10,852
Effluent Disposal	Maintain day to day running of any effluent disposal scheme infrastructure installed by council that relates to the servicing of the camping and caravan parks operations and ablutions facility	This clause originally referred to a new overall scheme. HHBC comments refer to ablation facility and black water dump point effluent.	The disposal of effluent is to be Councils responsibility A proportion of these costs is to be charged to the HHBC by way of a fee per site (currently \$3/night/site x 6 days/week)		

Electricity	Pay for electricity connected for purposes of servicing the camping and caravan park area and existing ablutions facility		Delete reference to "existing ablutions facility", and add "public facilities along the esplanade". This means Council to pay for ablutions facility electricity.	\$ 2,250	\$ -
Storage Shed & High Level Storage	Maintain in good order and condition		No change		
Ablutions Facility on council land	Operate and maintain including daily cleaning and supply of consumables Responsible for electricity and other general operational costs including sanitary services, repairs and pest control Determine appropriate hours for public access and charges to be made for use of facilities		Operate and maintain including daily cleaning and supply of consumables. Council to be responsible for electricity and other general operational costs including sanitary services, repairs and pest control. Suggest deletion of sentence - "Determine appropriate hours for public access to the ablation facilities and charges to be made in respect to the use of such facilities"	\$ 2,800 \$ 4,250	\$ 5,200 \$ 1,465
Mowing	Mow land and adjoining lands owned by council including road reserves leading into Groper Creek		No change	\$ 1,200	\$ 5,550
Refuse Collection	Empty public refuse receptacles into industrial bins provided by council Provide any additional refuse service required over and above that provided by council	Industrial bin provided by HHBC. BSC pay for 2 x 240L red bins to be picked up. HHBC to review costs and advise BSC	Empty public refuse receptacles into industrial bin provided by HHBC Provide any additional refuse service required over and above that provided by council		
General Maintenance	Maintain in good order and condition picnic tables and seats	Delete picnic tables and seats. Add shelters, tables, gazebos.	Maintain in good order and condition structures erected by HHBC including shelters, tables, gazebos		
General	Prior to flooding events, make safe the jetty, including removal of handrails if possible, isolate electricity and water services Generally clean up after flooding events Generally keep tidy the land including playground area	Delete reference to Jetty and handrails	Prior to flooding events, isolate electricity and water services Generally clean up after flooding events This is a major cost issue for the HHBC and separate discussion is required with Council on this matter Delete reference to "Generally keep tidy the land including playground area".		
NEW - Black Water Dump Point	Nil provision in 2006	HHBC have installed a black water dump point at their cost. Suggestion that the \$3/night/site contribution be increased to \$5 and from 6 nights to 7 nights per week to cover cost of emptying the dump point. BSC have determined that the dump point septage can be brought to the Ayr WWTP. Ablution effluent also goes to Ayr WWTP.	Maintain black water dump point installed by HHBC. Council to be responsible for effluent pump out costs	\$ 14,400	\$ 23,067

7 CLIENT SERVICES

8 FINANCIAL & ADMINISTRATIVE SERVICES

9 OPERATIONS

9.1 Report on Tenders Received TBSC/19/011 - Construction of a Drainage Culvert on Fiveways Road.

Document Information

Referring Letter No: 1558976, 1558977, 1588988, 1559010 & 1559012

File No: 1962

Name of Applicant: N/A

Location: N/A

Author and Title: Mr. Gary Keane – Manager Contracts

Executive Summary

Tenders for TBSC/19/011 – Construction of a Drainage Culvert on Fiveways Road closed at 12 noon on the 20 September 2019. There were ten (10) sets of documents which were forwarded to prospective tenderers upon their request.

Four conforming tenders and one conforming alternative tender were received by the nominated closing time.

The alternative tender submitted is at a reduced total contract sum which is achieved by timing the works to coincide with the annual Lower Burdekin Water maintenance shut down in June 2020 thus negating the requirement to construct a diversionary channel around the site. Remedial works would be undertaken to open Fiveways Road under restricted traffic and load conditions until the Lower Burdekin Water Shutdown.

Recommendation

That Council accepts the alternative tender of Pio Burelli Constructions Pty Ltd for \$378,945.00 Excl. GST for TBSC/19/011 – Construction of a Drainage Culvert on Fiveways Road this being the most advantageous to Council.

Background Information

In January 2019 Council was severely impacted by the “North and Far North Queensland Monsoon Trough, 25 January - 14 February 2019” Event. Many days of localised flooding on Fiveways Road resulted in the under mining of the footings and subsequent compromise of the structural integrity of the Sheepstation Creek Bridge. The existing structure cannot economically be returned to full service and as such will be demolished and replaced with a new structure.

The replacement structure must meet the Department of Agriculture and Fisheries (DAF) - Accepted development requirements for replacement of an existing bed level crossing on a major impact (purple) waterway and therefore incorporate a fish ladder.

Council engaged the services of G.H.D. Consulting Engineers to design the new structure and submit the plans for DAF approvals. To expedite the replacement of the structure and to reopen the road Council called tenders using plans and specifications that are still being reviewed by DAF.

Tenders for TBSC/19/011 – Construction of a Drainage Culvert on Fiveways Road closed at 12 noon on the 20 September 2019. Four (4) tenders were received from Aqua Project Solutions Pty Ltd, C.E.S. Civil NQ Pty Ltd, Durack Civil Pty Ltd and Pio Burelli Constructions Pty Ltd. Pio Burelli Constructions Pty Ltd also submitted one alternative tender.

The received pricing is summarised in the following table.

Tenderer	Value Excl. GST (Conforming).	Value Excl. GST (Alternative).	Comments.
C.E.S Civil	\$ 695,982.40		Conforming tender only submitted.
Aqua Project Solutions.	\$ 582,823.64		Conforming tender only submitted.
Durack Civil.	\$ 480,441.19		Conforming tender only submitted.
Pio Burelli Constructions Pty. Ltd.	\$424,945.00	\$ 378,945.00	Conforming and Alternative tender Submitted.

The alternative tender of Pio Burelli Constructions Pty Ltd allows for temporary repairs to be carried out and to allow the opening of Fiveways Road to single lane traffic with load restrictions in place. This methodology delivers a \$46,000 Excl. GST saving over the lowest conforming tender.

A provisional sum of \$9,000 Excl GST has been allowed to undertake remedial works using a concrete pump to backfill existing undermined base-slabs using appropriate high-strength, quick curing, “flowable” fill i.e. 40 MPa concrete grout.
The major structural replacement works would be scheduled during the annual Lower Burdekin Water maintenance shut down in June 2020 thus removing the need to construct a diversion channel.

Tenders were evaluated by G.H.D. Consulting Engineers and a report provided to council recommending that Burdekin Shire Council (BSC) accept either the conforming or alternative tender submitted by Pio Burelli Constructions Pty Ltd for the works associated with TBSC/19/011.

The acceptance of this tender is in line with Council's Procurement Policy 2019/20.

Link to Corporate/Operational Plan

Key Strategic Areas

- 1. Infrastructure
 - 1.1 Infrastructure for future needs
 - 1.1.1 Plan, build and maintain infrastructure that enhances community assets
 - 1.3 Safe and effective transport networks
 - 1.3.1 Prioritise upgrades to the road network to improve safety and connectivity

Consultation

Tenders for the above, closing at 12 noon on the 20 September 2019 were advertised in the Advocate on the 28 August 2019, Townsville Bulletin on the 31 August 2019 and Council's Web Page for the duration of the tender period.

A mandatory meeting of prospective tenderers was held at the site at 1.30 pm on the 11 September 2019 to explain the purpose of the tender and permit prospective tenderers to ask questions. Four prospective tenderers attended the meeting.

Legal Authority or Implications

Local Government Regulations 2012, Chapter 6 Contracting
Division 2: Entering into Particular Contracts
Section 228: Tendering Process.

Burdekin Shire Council's Procurement Policy 2019/2020.

Policy Implications

The calling of tenderers is consistent with the Burdekin Shire Council's Procurement Policy 2019/2020.

Clause 3 Objectives:

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

- 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:

(a) 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:-

- (i) Contribution to the advancement of Council's priorities; and
- (iv) Internal administration costs; and

(b) 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.

(c) 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:-

- (i) Creation of local employment opportunities;
- (ii) More readily available servicing support;
- (iii) More convenient communications for contract management;
- (iv) Economic growth within the local area;
- (v) Benefit to Council of associated local commercial transaction.

Financial and Resource Implications

Council has made an application under the Disaster Relief Funding Arrangements (D.R.F.A.) to the Queensland Reconstruction Authority for the structure to be replaced under Restoration of Essential Public Assets provisions. The submission is currently in the appraisal stage and yet to be approved. Should the application be unsuccessful Council shall be liable for all costs.

Report Prepared By:

Mr. Gary Keane – Manager Contracts

Report Authorised By:

Mr. 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

18 DELEGATIONS

18.1 LGAQ Delegation – Dorean Erhart

11am - Dorean Erhart from LGAQ will present the findings of the “ Climate Change Adaptation Governance Assessment Report”

