



# Burdekin Shire Council

## **AGENDA**

### **ORDINARY COUNCIL MEETING**

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

**on 26 November 2019**

**COMMENCING AT 9:00AM**

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# Burdekin Shire Council

**TUESDAY 26 NOVEMBER 2019**

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## **1 PRAYER**

## **2 DECLARATIONS OF INTEREST**

## **3 MINUTES AND BUSINESS ARISING**

### **3.1 Ordinary Council Meeting Minutes - 12 November 2019**

#### **Recommendation**

That the minutes of the Ordinary Council Meeting held on 12 November 2019 be received as a true and correct record.





**Burdekin Shire Council**

# **MINUTES**

## **ORDINARY COUNCIL MEETING**

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

**on 12 November 2019**

**COMMENCING AT 9:00AM**



# Burdekin Shire Council

TUESDAY 12 NOVEMBER 2019

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## **ATTENDANCE**

Councillors L.A. McLaughlin (Mayor), S.P. Perry (Deputy Mayor), J.T. Bonanno, E.J. Bawden, 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. K. Olsen - Manager Financial and Administrative Services (Part)  
Mr. S. Great - Manager Planning and Development (Part)  
Mr. K. Byers - Manager Technical Services (Part)  
Mr. D. Cornwell – Manager Community Services (Part)  
Mrs. J. Thomasson – Revenue Coordinator (Part)

Minutes Clerk – Miss. N Loizou

Apologies: A.J. Goddard (Approved Leave of Absence)

## **1 PRAYER**

The meeting prayer was delivered by Pastor Andrew Ballin of the Baptist Church.

## **2 DECLARATIONS OF INTEREST**

The Mayor called for declarations of interest.

Councillor McLaughlin declared a Perceived Conflict of Interest in relation to item 3.5 as she is a life member of the Burdekin Netball Association, which is recommended to receive grant funding under the Community Grants Program. Councillor McLaughlin advised of her intention to leave the room during discussion of this item.

Councillor Woods declared a Material Personal Interest in relation to item 9.3 as his brother Peter Woods is the owner/operator of P & G Tilts, and that company is recommended for inclusion on the panel of suppliers for contract ACL/19/001. Councillor Woods advised of his intention to leave the room during discussion of this item.

## **3 MINUTES AND BUSINESS ARISING**

### **3.1 Ordinary Council Meeting Minutes - 22 October 2019**

#### **Recommendation**

That the minutes of the Ordinary Council Meeting held on 22 October 2019 be received and confirmed.

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## **Resolution**

Moved Councillor Woods, seconded Councillor Liessmann that the recommendation be adopted, noting the amendments on page 8 change from 'open to the public' to 'close to the public.'

CARRIED

### **3.2 Burdekin Shire Road Safety Advisory Committee Meeting Minutes - 28 August 2019**

## **Recommendation**

That the minutes of the Burdekin Shire Road Safety Advisory Committee Meeting held on 28 August 2019 be received and confirmed.

## **Resolution**

Moved Councillor Bawden, seconded Councillor Woods that the recommendation be adopted noting the following amendments:

- Page 1 – Item 6.1 – '0.5cm' change to '0.5m'
- Page 3 – Item 6.4 – 'Proposed Road Words' change to 'Proposed Road Works'
- Page 3 – Item 6.7 – 'Roundabout needs to be trimmed' change to 'hedge on the island of the roundabout needs to be trimmed.'

CARRIED

### **3.3 Burdekin Senior Advisory Group Meeting Minutes - 16 October 2019**

## **Recommendation**

That the minutes of the Burdekin Senior Advisory Group Meeting held on 16 October 2019 be received and adopted.

## **Resolution**

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

CARRIED

### **3.4 Local Disaster Management Group Meeting Minutes - 18 October 2019**

## **Recommendation**

That the minutes of the Local Disaster Management Meeting held on 18 October 2019 be received and adopted.

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### **Resolution**

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

CARRIED

*9.34am – Councillor McLaughlin left the meeting due to her Perceived Conflict of Interest in relation to Item 3.5 as she is a life member of the Burdekin Netball Association.*

*Councillor Perry assumed the Chair.*

### **3.5 Community Grants Program Panel Meeting Minutes - 29 October 2019**

#### **Recommendation**

That the minutes of the Community Grants Program Panel Meeting held on 29 October 2019 be received and adopted.

#### **Resolution**

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

CARRIED

*9.59am – Councillor McLaughlin returned to the meeting and resumed the chair.*

## **4 REPORTS**

### **4.1 Council Workshops - October 2019**

#### **Executive Summary**

The Council conducted workshops on 1 and 29 October 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 1 and 29 October 2019 be received and noted.

#### **Resolution**

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

CARRIED

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## 5 GOVERNANCE

### 5.1 Proposal from Burdekin PCYC and Burdekin Academy to "Swap" Venues

#### Executive Summary

Council is requested to consider:

1. Information provided on the proposal put forward by the Burdekin Academy Inc and Burdekin PCYC for the two organisations to "swap" venues – Burdekin Academy Inc to relocate to the Multi-Purpose Hall at the Ayr Showgrounds – Burdekin PCYC (boxing) to relocate to the Burdekin Fitness Hall (formerly Ayr Gymnastics Hall) in Wickham Street, Ayr.
2. Request from PCYC that the trustee lease over the Multi-Tenant Service Centre in Macmillan Street, Ayr be renewed for a 10 year+ term when it expires on 31 March 2020. Previous leases had a term of five years.

#### Recommendation

That Council:

1. Terminates its management agreement with the Queensland Police-Citizens Youth Club for the use of the Multi-Purpose Hall at the Ayr Showgrounds acknowledging that this agreement is due to expire on 31 March 2020;
2. Offers no objection to Burdekin PCYC entering into a hire agreement with Burdekin Fitness Hall Inc for the purpose of relocating its boxing activities;
3. Enters into a Trustee Lease with Burdekin Academy Inc. for a term of five years over the Multi-Purpose Hall at the Ayr Showgrounds subject to, but not limited to:
  - a) the usual terms and conditions set by Council and the Department of Natural Resources, Mines and Energy;
  - b) Additional conditions as agreed upon by Council and the lessee in relation to the use of the hall, building maintenance, and in particular the availability of the hall during the Burdekin Annual Show and in the event of a disaster.
4. Applies the exception under Section 236(1) (b) (ii) of the *Local Government Regulation 2012* to allow the disposal of a valuable non-current asset (Multi-Purpose Hall – Ayr Showgrounds) other than by tender or auction.
5. Agrees to the renewal of the Trustee Lease held by the Queensland Police-Citizens Youth Club over the Multi-Tenant Service Centre (Macmillan Street, Ayr) for a term of 10 years subject to the existing terms and conditions.

#### Resolution

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

CARRIED

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## 5.2 Q1 Report - Operational Plan 2019/2020

### Executive Summary

The Q1 report for the Operational Plan 2019/2020 provides a fair representation of Council's performance during the period 1 July 2019 to 30 September 2019. The Operational Plan sets out the agreed activities for each section and department of Council and includes measurement statements and targets for each activity. Comments have been provided against each activity to reflect the progress towards achieving the activity within the first quarter. Of the 231 agreed activities within the Operational Plan, 172 activities are meeting or above target with 32 activities progressing. 25 activities are "inactive" or not yet due to commence and a further two activities are under target. The comments provided in the attached report provide further clarification and detail pertaining to each activity.

At the end of first quarter:

- 172 activities meeting or above target (74%)
- 32 Activities Progressing (14%)
- 25 Inactive (11%)
- 2 Under Target (1%)

Same time last financial year (2018/2019) for comparison

At the end of first quarter:

- 157 activities meeting or above target (71%)
- 38 Progressing (17%)
- 23 Inactive (10%)
- 4 Under Target (2%)

### Recommendation

That Council adopts the Q1 report for the Operational Plan 2019/2020 as attached to this report.

### Resolution

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

CARRIED

*10.06am – Mr. Mulcahy entered the meeting*

## 6 ENVIRONMENTAL AND HEALTH SERVICES

### 6.1 2019-2020 Budget Allocation for Weighbridge Cameras at Kirknie Landfill

#### Executive Summary

Council's existing weighbridge cameras are inadequate and use outdated technology. The images captured do not clearly show vehicle registrations or capture vehicle loads. It is



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recommended that the weighbridge cameras and associated hardware and software be replaced to allow for accurate capture of vehicle registration and waste type data.

### **Recommendation**

That Council approves the amendment of the 2019-20 Budget by including a capital allocation of \$7,000 to cover the purchase and installation of four new weighbridge cameras and associated hardware and software updates.

### **Resolution**

Moved Councillor Bonanno, seconded Councillor Liessmann that the recommendation be adopted, noting the amendment to paragraph three of the report – Background Information change from ‘Tipsite was provided’ to ‘Tipsite has provided.’

CARRIED

## **7 CLIENT SERVICES**

*10.09am – Mrs. Olsen and Mrs. Thomasson entered the meeting.*

## **8 FINANCIAL & ADMINISTRATIVE SERVICES**

### **8.1 Market Research Results - Six Monthly Rating**

#### **Executive Summary**

Market Facts (Qld) undertook market research in October 2019 on Council’s behalf to gauge community sentiment towards the introduction of six-monthly rating.

The informed response to the market research was that 72% of respondents indicated a preference to stay with annual rating.

#### **Recommendation**

That based on the results of the market research undertaken, Council continue to rate on an annual basis for the 2020/21 financial year.

#### **Resolution**

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

FOR: Councillors McLaughlin, Perry, Woods, Liessmann and Bawden  
AGAINST: Councillor Bonanno

5/1

CARRIED

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*10.14am – Mr. Mulcahy left the meeting.*

*10.27am – Meeting adjourned for morning tea. Mrs. Olsen and Mrs. Thomasson left the meeting at this time.*

*10.50am – Meeting recommenced.*

*10.50am – Mr. Byers and Mrs. Marano entered the meeting.*

## **9 OPERATIONS**

### **9.1 Adoption of Council's Sewerage Inspection Program - November 2019 - February 2020**

#### **Executive Summary**

Council undertakes an annual sewerage inspection program as part of a five-year rolling plan to monitor ongoing performance of Council's network of 2583 sewerage manholes. As entry to private properties may be a necessary part of the inspection program, Council is requested for formally authorise the program.

#### **Recommendation**

That Council approves the proposed Sewerage Inspection Program as a Selective Inspection Program under S134 of the *Local Government Act 2009* which is proposed to operate between the hours of 7.00am - 5.00pm, Monday to Friday, between 26 November 2019 and 25 February 2020 to inspect the condition of sewerage manholes in properties which Council records indicate contain manholes.

#### **Resolution**

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

CARRIED

*10.55am – Mr. Byers left the meeting.*

### **9.2 Report to Council on Adoption of a Code of Operations Cemeteries**

#### **Executive Summary**

The Code of Operations Cemeteries presented for adoption as part of this report is a comprehensive guide reflecting current operational standards at cemeteries owned and operated by Burdekin Shire Council and replaces the previous Code of Operations adopted by Council on the 4 April 2017.

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The document identifies procedures and processes to be followed by Council staff, bereaved families, funeral directors and stonemasons when undertaking activities within the Ayr and Home Hill cemeteries.

The major points of difference between the tabled version and previous version are the ability to surrender unoccupied plots and be compensated for same, additional rigour and evidentiary requirements related to interments and exhumations and clarification of the maximum number of interments per plot in each section of the cemeteries.

### **Recommendation**

It is recommended that Council adopt the Code of Operations Cemeteries as tabled.

### **Resolution**

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

CARRIED

*11.03am – Mrs. Marano left the meeting.*

*11.04am – Councillor Woods left the meeting due to his Material Personal Interest in relation to item 9.3 as his brother Peter Woods is the owner/operator of P&G Tilts, which is recommended for inclusion on the panel of suppliers.*

## **9.3 Tender Submissions Received for ACL/19/001 - Pre-Qualified Suppliers for Hire of Wet and Dry Plant and Equipment and ACL/19/002 - Traffic Control Providers**

### **Executive Summary**

Submissions for Approved Contractors List ACL/19/001 – Request for Pre-Qualified Suppliers for Hire of Wet and Dry Plant and Equipment and ACL/19/002 – Request for Pre-Qualified Suppliers for Traffic Control Providers (including equipment) closed at 2.00pm on the 21 August 2019.

Council received 108 applications for Hire of Wet and Dry Plant and Equipment with 45 applications deemed non-conforming due to insufficient documentation being supplied with the application. Of the 63 conforming applications, 37 were from local suppliers of the requested services.

Council received six applications for Traffic Control Providers by the nominated closing time. Of these four were deemed non-conforming as insufficient documentation was supplied with the application.

### **Recommendation**

That Council accepts the tenders as per the attached listing of suppliers for the purpose of establishing a Register of Pre-Qualified Suppliers for Hire of Wet and Dry Plant and

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Equipment and Traffic Control Providers for the period up to and including 30 September 2020.

### **Resolution**

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

CARRIED

## **10 TECHNICAL SERVICES**

*11.08am – Councillor Woods returned to the meeting and Mr. Great entered the meeting.*

## **11 PLANNING & DEVELOPMENT**

### **11.1 Ayr Industrial Estate Expansion**

#### **Executive Summary**

The purpose of this report is to provide Council with an update on the Ayr Industrial Estate Expansion project and to seek formal approval to submit a Business Case seeking \$2.6 million funding under the State Government's Building Our Regions (BOR) Round 5 Funding Program.

#### **Recommendation**

That Council:

1. notes the content of this report and endorses the actions taken by staff on the project to date; and
2. approves the submission of a Business Case seeking \$2.6 million, funding under Round 5 of the State Government's Building Our Regions (BOR) Program to facilitate the expansion of the Ayr Industrial Estate; and
3. notes that should Council be successful in securing BOR funding, that matching Council funds would be required to be provided from funds held in Reserve.

#### **Resolution**

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

FOR: Councillors McLaughlin, Perry, Bonanno and Woods  
AGAINST: Councillors Bawden and Liessmann

4/2

CARRIED

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## 11.2 Change Application, Minor Change to Development Approval Renewable Energy Facility (Solar Farm) off Keith Venables Road, Upper Houghton (Lot 1 on SP313057)

### Executive Summary

Council issued a Development Permit for a Material Change of Use for a Renewable Energy Facility (Solar Farm) on 15 June 2017 under the *Sustainable Planning Act* (now repealed). The applicant Pacific Hydro has now submitted a Change Application for a minor change to the original decision. The proposed changes have been requested as part of a response to specific issues raised by Council in a Show Cause Notice issued to Pacific Hydro on 12 June 2018, for breach of that original Development Permit that caused damage to Council road infrastructure.

Mr. Great outlined the reasons why it was proposed to delegate the matter to the CEO for approval.

### Recommendation

That Council agree to delegate to the Chief Executive Officer authority to approve the Change Application in accordance with the following report and recommended conditions subject to the Performance Agreement being executed and the outstanding compensation amounts of \$140,000.00 (road infrastructure damage) and \$13,734.60 (legal costs) being paid.

#### Condition 5.2

Condition currently reads:

*Any damage which is caused to Council's infrastructure as a result of the proposed development must be repaired immediately.*

Requested change from applicant:

The applicant seeks to amend the condition to read "*Any damage which is caused to Council's infrastructure as a result of the proposed development must be repaired ~~immediately~~ as soon as practicable and rectified in accordance with Council's requirements and as agreed by Council.*"

Recommendation:

Council recommends that the intent of applicant's changes be accepted, but the wording retain the pre-eminent requirement of 'immediacy' in the condition be adopted as necessary to effect the same outcome, of allowing the Council to agree in future to alternative means of rectification of Council infrastructure as follows.

The recommendation is for Council to support the following proposed alternative change to Condition 5.2;

*Any damage which is caused to Council's infrastructure as a result of the proposed development must be repaired immediately, or as otherwise agreed with Council.*

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### **Condition 12.1**

#### Condition currently reads:

Prepare, implement and maintain a Construction Management Plan (CMP) for the subject site. The CMP must be prepared and certified by a Registered Professional Engineer of Queensland (RPEQ); submitted to the Council and available on site at all times. The CMP must include, but not be limited to, the following details for the construction phase of the approved development:

- a) a description of all relevant activities to be undertaken on the site during construction including the anticipated staging for bulk earthworks and the construction works program
- b) a description of the roles and responsibilities for all relevant employees involved in the construction of the project including relevant training and induction provisions for ensuring that all employees, contractors and sub-contractors are aware of their environmental and compliance obligations under these conditions of approval
- c) details of any construction sites and mitigation, monitoring, management and rehabilitation measures specific to the site that would be implemented
- d) statutory and other obligations that the applicant is required to fulfil during construction including all relevant approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies
- e) details of how the environmental performance of construction will be monitored, and what actions will be taken to address identified potential adverse environmental impacts including soil and water impacts and dust emissions
- f) emergency management measures including measures to control bushfires.

#### Recommendation:

This condition requires amendment to ensure that as a pre-requisite to Council agreeing to any alternative now available to be discussed under Condition 5.2 (as amended), Council can require updated CMP to be approved and make it binding.

It is recommended that the Condition therefore be amended as follows:

### **Condition 12.1**

~~Prepare~~ Implement and maintain a Construction Management Plan *Revision 2 Project QC08 dated 6 July 2018* (CMP) for the subject site.

Any proposed change to the CMP or subsequent versions during operation of the use must be prepared and certified by a Registered Professional Engineer of Queensland (RPEQ), submitted to Council for assessment and be approved in writing by Council before use. ~~and prepared and certified by a Registered Professional Engineer of Queensland (RPEQ) submitted to the Council and available on site at all times.~~

The CMP must include, but not be limited to, the following details for the approved development:

- 
- a) *a description of all relevant activities to be undertaken on the site during construction (including any staged maintenance works or reconstruction works) including the anticipated staging for bulk earthworks and the construction works program*
  - b) *a description of the roles and responsibilities for all relevant employees involved in the construction of the project including relevant training and induction provisions for ensuring that all employees, contractors and sub-contractors are aware of their environmental and compliance obligations under these conditions of approval*
  - c) *details of any construction sites and mitigation, monitoring, management and rehabilitation measures specific to the site that would be implemented*
  - e) *statutory and other obligations that the applicant is required to fulfil during construction including all relevant approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies*
  - f) *details of how the environmental performance of construction will be monitored, and what actions will be taken to address identified potential adverse environmental impacts including soil and water impacts and dust emissions*
  - g) *emergency management measures including measures to control bushfires.*

**12.1A**

The approved CMP must be complied with at all times and a copy maintained on site.

**Condition 12.2**

Condition currently reads:

*Prior to the commencement of construction, the applicant must submit to the Council a Traffic Management Plan (TMP) prepared and certified by a Registered Professional Engineer of Queensland (RPEQ). The TMP must include, but is not limited to:*

- i) *details of how construction of the project will be managed in proximity to local and regional roads*
- ii) *details of traffic routes for heavy vehicles, including any necessary route for oversized loads*
- iii) *details of how any potential safety hazards resulting from the increased vehicle movements will be mitigated during the construction phase*
- iv) *procedures for informing the public where any road access will be restricted as a result of the project.*

Recommendation:

*This condition requires amendment to ensure that as a pre-requisite to Council agreeing to any alternative now available to be discussed under Condition 5.2 (as amended), Council can require updated TMP to be approved and make it binding.*



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It is recommended that the Condition therefore be amended as follows:

**Condition 12.2**

~~Prior to the commencement of construction,~~ The applicant must ~~submit to the Council a~~ implement and maintain a Traffic Management Plan Revision 8 Project QC08, dated 19 June 2019 (TMP) for the subject site.

Any proposed change to this TMP or subsequent versions must be prepared and certified by a Registered Professional Engineer of Queensland (RPEQ) submitted to Council for assessment and be approved in writing by Council. The TMP must include~~ing~~, but is not limited to:

- i) *details of how construction (including any staged maintenance works or reconstruction works) of the project will be managed in proximity to local and regional roads*
- ii) *details of traffic routes for heavy vehicles, including any necessary route for oversized loads*
- iii) *details of how any potential safety hazards resulting from the increased vehicle movements will be mitigated during the construction phase*
- iv) *procedures for informing the public where any road access will be restricted as a result of the project.*

~~and be submitted to and approved by Council in writing.~~

**12.2A**

The approved TMP must be complied with at all times and a copy maintained on site.

**Resolution**

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

CARRIED

11.26am – Mr. Great left the meeting.

**12 COMMUNITY DEVELOPMENT**

**12.1 Home Hill Parks Master Planning**

**Executive Summary**

Council has earmarked \$60,000 from the State Government's Works for Queensland 2019-21 funding program to install exercise equipment in a park in Home Hill. During discussions with Councillors on the possible exercise equipment type and location the need to undertake parks master planning in Home Hill was identified.



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As part of adoption of the 2019/2020 Revised Budget 1 at its 22 October, 2019 meeting, Council provided \$30,000 from Reserves to undertake the master planning works.

The purpose of this report is to seek Council's approval to seek quotations from suitably qualified suppliers to undertake community consultation and prepare detailed master plans for Watson's Green and Memorial Park, Home Hill.

Both locations have a mix of different uses, infrastructure and levels of usage. In order to ensure that any future improvements or enhancements for these areas are optimised for the benefit of the community, a strategic masterplan approach is preferred to guide future decision making.

### **Recommendation**

That Council approves the calling of quotations from suitably qualified suppliers to undertake community consultation and prepare detailed master plans for Watson's Green and Memorial Park, Home Hill.

### **Resolution**

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

CARRIED

*12.20pm – Mr. Cornwell left the meeting.*

## **13 ECONOMIC DEVELOPMENT**

### **14 NOTICES OF MOTION**

#### **14.1 Councillor Ted Bawden - Notice of Motion - Burdekin Shire Council's Drug and Alcohol Operational Standard**

##### ***Background***

Council is currently looking to implement a drug and alcohol testing program following the recent adoption of the Drug and Alcohol Operational Standard. The prescribed Blood Alcohol limits in the operational standard are different depending on the type of work being performed by particular staff. Some staff are required to have a 0.00 Blood Alcohol Concentration limit, while others have a 0.05 limit. I believe this is unfair and that all workers should have the same BAC limit applied under the Standard.

My research confirms the blanket 0.00 Blood Alcohol Concentration limit is enforced at a number of Councils.

In addition, I understand that the Drug and Alcohol Operational Standard only applies to Council workers – I believe the 0.00 limit for alcohol and drugs should apply to all employees, Mayor and councillors, contractors, subcontractors or any other person whilst on duty at a council work place.

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Therefore, it is my intention to move the following motion at the 12 November 2019 Ordinary Meeting of Council:

***Proposed Motion***

That Council sets a 0.00% Blood Alcohol Concentration and illicit drug limit for all employees, elected members, contractors, subcontractors or any other person whilst on official Council duty.

**Resolution**

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

FOR: Councillors Bawden and Liessmann

AGAINST: Councillors McLaughlin, Perry, Bonanno and Woods

2/4

LOST

**15 CORRESPONDENCE FOR INFORMATION**

**16 GENERAL BUSINESS**

**16.1 Councillor Woods - Thanks and Appreciation - Council Support - Home Hill Harvest Festival Committee**

Councillor Woods passed on his thanks and appreciation on behalf of the Home Hill Harvest Festival Committee, to all Council Staff involved within the preparation of the event and to Council for their support and ongoing monetary contribution. He asked that this be conveyed to the Staff.

**16.2 Approved Leave of Absence - Councillor Woods - 30 November to 9 December 2019**

**Resolution**

Moved Councillor Perry, seconded Councillor Bawden that Councillor Woods be granted a leave of absence from 30 November to 9 December 2019.

CARRIED

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### **16.3 Culvert Repairs – Five Ways Road over Sheep Station Creek - Single Lane Opening - 15 November 2019**

Mr. Wellwood informed Councillors that Council have completed load testing on temporary culvert repairs in order for a single lane opening of Five Ways Road, Brandon to commence on 15 November 2019 with a 4.5 tonne load limit in place.

### **16.4 Councillor Liessmann - Request for Update - South Ayr Drainage Works**

Councillor Liessmann requested that an update report be presented to Council in relation to proposed South Ayr Drainage works.

### **16.5 Councillor Liessmann - Request for Information - Clayton Street, Ayr Works**

Councillor Liessmann inquired about the progress of Clayton Street works and Councillor Bawden asked about the expenditure used to carry out the works. Mr. Wellwood confirmed that works are currently taking place and that a further update of the project will be provided at Council's next workshop to be held on 19 November 2019.

## **17 CLOSED MEETING ITEMS**

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

#### **Resolution**

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

275(1)(f) starting or defending legal proceedings involving it;

For the purpose of discussing:

- Confidential Report – Sale of Land – Rates Arrears

CARRIED

### **Council Meeting opened to Public**

#### **Resolution**

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

CARRIED

*12.45pm – Councillor Liessmann left the meeting.*

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## **17.1 Confidential Meeting Report - Sale of Land - Rates Arrears - 12 November 2019**

### **Background Information**

To effectively address current rate arrears on some properties, the sale of land process will be necessary to discharge overdue rates and charges. Previous requests for payment have been ignored and outstanding revenue on these properties now exceeds \$414,000.

If at any time during the sale of land process outstanding rates, charges and expenses on a property are paid in full, proceedings will cease.

### **Resolution**

Moved Councillor Woods, seconded Councillor Bawden that pursuant to Section 140 (2) of the *Local Government Regulation 2012*, Council sell the land described in "Schedule A – List of Properties" for overdue rates and charges;

And that Council delegates to the Chief Executive Officer its power to take all further steps under Chapter 4, Part 12, Division 3 of the *Local Government Regulation* to effect sale of the land or end the sale procedures if appropriate (Section 141(3) of the Regulation).

CARRIED

## **18 DELEGATIONS**

Nil

There being no further business the meeting closed at 12.50pm

**These minutes were confirmed by Council at the Ordinary Council Meeting held on 26 November 2019.**

**MAYOR**





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### **3.2 Burdekin Cultural Advisory Group Meeting Minutes - 9 September 2019**

#### **Recommendation**

That the minutes of the Burdekin Cultural Advisory Group Meeting held on 9 September 2019 be received and adopted.

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**MINUTES**  
**BURDEKIN CULTURAL ADVISORY GROUP MEETING**  
**HELD AT ERNIE FORD BOARD ROOM**  
**On 9 September 2019**  
**COMMENCING AT 3.30 PM**

**ATTENDANCE**

Councillors Lyn McLaughlin (Mayor) and John Woods

Mrs Treena List – Community Member  
Dr. Brian Glover – Community Member  
Mr. Chris Patrick – Cultural Venues Manager  
Mr. David Cornwell – Manager Community Services  
Mrs Jocelyn Defranciscis – Burdekin Memorial Hall Committee

Minutes Clerk – Mrs Amy Cranitch

Apologies – Councillor Sue Perry, Mr. Nick O'Connor – Director Corporate and Community Services

**1. OPENING OF MEETING**

Cr. Lyn McLaughlin chaired the meeting and welcomed all members.

**2. APOLOGIES**

Apologies as listed were noted.

**3. FRIENDS OF THE THEATRE & MEMORIAL HALL COMMITTEE REPRESENTATIVES**

Discussion was held on the nomination of alternative members from Friends of the Theatre and Memorial Hall Committee when the usual committee member that attends the Burdekin Cultural Advisory Group is unavailable. Mayor McLaughlin asked Mr Patrick to write to these groups and request alternative members to be nominated.

**4. MINUTES AND BUSINESS ARISING**

**Recommendation**

That the minutes of the Burdekin Cultural Advisory Group Meeting held on 15 July 2019 be received as a true and correct record.

**Resolution**

Moved Cr. Woods, seconded Dr. Glover, that the recommendation be adopted.

**Letter to Memorial Hall Committee**

Mr Patrick advised he sent a thank you letter to the Memorial Hall Committee for their generous monetary contribution towards the new blinds at the minor hall, repainting of internal doors to the hall, a defibrillator and an outdoor smoking area awning.



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## **Tallescope**

Mr Patrick enquired with other venue managers through the Managers Network about the rules regarding the use of a tallescope. Information received was that some theatres/venues use them but there was no specific safety rule. Mr. Patrick advised that there is a large ladder at the hall if hirers were not comfortable using the tallescope.

## **Memorial Hall Curtains**

Mr Patrick advised that the Burdekin Christian College had confirmed they no longer required the old Memorial Hall curtains that were replaced and the Burdekin Singers had been offered the curtains instead.

## **New Members for the Burdekin Cultural Advisory Group**

Cr McLaughlin advised that there is only two meetings left until the Election in 2020 and recommended holding off on advertising these positions until then.

## **5. CULTURAL VENUES MANAGER'S REPORT**

- (a) Mr. Patrick advised the new Burdekin Theatre website is almost ready to go live and looks very clean and professional. The new launched website should alleviate the problems we have been experiencing with the current slow website.
- (b) Following the successful application to Works for Queensland Funding the Burdekin Theatre are currently seeking quotes for a new lighting desk, LED lighting and the trusses for the Memorial Hall.
- (c) Mr. Patrick advised the meeting of the upcoming shows and performances that were booked into all Cultural Venues. Cr Woods advised that the Queensland QIT delegates were very impressed with the Memorial Hall and the good service by the staff at their recent event.
- (d) Cr McLaughlin requested that Mr. Patrick make the list of performances into a graph that compares the previous year on a monthly basis.
- (e) Mr. Patrick attended a PAC and PAX conference at the Gold Coast which is the national equivalent to the Stage Queensland conference.
- (f) Mr. Patrick advised that the awning for the smoking area was working well although it hadn't been utilised a lot as there was no rain recently. Cr McLaughlin suggested that as the awning was not installed just for rain events, it should be used at every event. Mr. Patrick will advise staff to use awning at every event.

## **6. GENERAL BUSINESS**

### **BURDEKIN LIBRARY ART SCULPTURE**

Mrs List enquired about the repairs to the metal art sculpture outside the Burdekin Library and what was happening with the repairs. Mr. Cornwell advised that the art sculpture had been repaired but an investigation was continuing to try and locate the missing arm. Cr

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McLaughlin advised she would also seek information from RADF regarding replacement costs.

## **7. MEMORIAL HALL PIGEONS**

Mrs. Defranciscis advised that the pigeons are still a problem in the entry to the Memorial Hall and Library, Mr. Patrick advised that spikes have been installed and they are also looking into other options to eradicate them. Mrs. Defranciscis suggested some Perspex to block off the area where they nest which Mr. Patrick will investigate.

## **8. CHORAL SOCIETY HALL**

Mrs. Defranciscis enquired if the Line Dancers were still going to be using the Choral Society Hall now that the group has moved to a new location. Cr. McLaughlin advised that the Choral Society still have the lease of the hall and that, until the lease expires, they can utilise the hall as they have been.

## **9. HARVEST FESTIVAL**

Cr Woods advised the Harvest Festival launches with the Ephemera on Friday 13<sup>th</sup> September with an amazing display of items in Lloyd Mann Gardens. Cr Woods also noted that it was Sweet FM 97.1's 20<sup>th</sup> year in operation. The launch will be going live to air for the introduction of the Harvest Festival entrants.

## **10. LIBRARY**

Dr. Glover complimented the Libraries for providing a community space for all people with disabilities that may make some noise at times but it does show good community spirit.

**Next meeting – Monday 11 November 2019 at 3.30 pm in the John Hy Peak Rooms.**

**Cr. Lyn McLaughlin**  
**CHAIRMAN**

## **ACTION ITEMS**

Meeting	Action required	Person/s responsible	Status

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### **3.3 Burdekin Shire Youth Council Meeting Minutes - 16 October 2019**

#### **Recommendation**

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

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## **Burdekin Shire Council**

### **Minutes – Burdekin Shire Youth Council Meeting held on 16 October 2019**

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

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#### **CLAUSE 1 ATTENDANCE**

Sarah McDonnell – Youth Mayor  
Emily Holmes – Deputy Youth Mayor  
Alyssia Guy – Burdekin Catholic High School  
Alexa Mann – Burdekin Catholic High School  
Jessica Holmes – Burdekin Christian College  
Jake Abraham – Ayr State High School  
Lexi Favero – Burdekin Catholic High School  
Lorenza Palombi – Ayr State High School  
Mikayla McDonnell – Ayr State High School  
Michael Lindley – Brandon State School  
Taryn Delle Baite – Burdekin Catholic High School  
Zavier Wood – Ayr State High School

Tammy Quagliata – Burdekin Shire Council

#### **Apologies for absence**

Cr. Lyn McLaughlin – Mayor, Burdekin Shire Council  
Jocelyn Eaton – Secretary  
Mylee Kovacich – Clare State Primary School

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#### **CLAUSE 2 MINUTES RECEIVED**

Moved Mikayla McDonnell, seconded Michael Lindley that the Minutes of the Burdekin Shire Youth Council Meeting held on 16 September 2019, be received.

CARRIED

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#### **CLAUSE 3 BUSINESS ARISING FROM THE MINUTES**

- Clause 1 – It was noted that Mylee Kovacich was an apology for the meeting held on 16 September, following an error in the previous minutes.
  - Clause 6 – Tammy Quagliata advised that the new Youth Council Shirts have been ordered and would hopefully arrive before the next meeting.
- 

#### **CLAUSE 4 CORRESPONDENCE**

##### Inward Correspondence

1. Corryn Innes, C&K Kindy – Seeking Youth Council to provide badge making at the upcoming C&K Kindy 25<sup>th</sup> Celebrations on Saturday 9<sup>th</sup> November from 9am to 12pm. They have offered a donation of \$200 for Youth Council to provide this service.
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2. Wendy Bertello, Burdekin Festival of Arts – Thanking Youth Council for their generous donation towards the 20149 Burdekin Festival of Arts Inc.
  3. Ayr State High School Global Hawks Initiative – Seeking sponsorship for prize donations to be used as incentives for the new recycling and waste management initiative.

***NOTE: It was agreed that Youth Council promotional packs be donated for this initiative.***

Outward Correspondence

1. Evolution Mining – Submitting an application for Community Sponsorship towards the 2020 Fast Track Talent Showcase.

Moved Alexa Mann, seconded Lexi Favero that the inward correspondence be received, and the outward adopted.

CARRIED

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**CLAUSE 5                      BADGE MAKING AT C&K KINDY 25<sup>TH</sup> BIRTHDAY CELEBRATIONS**

Moved Xavier Wood, seconded Jake Abraham that Burdekin Shire Youth Council Members provide Badge Making at the C&K Kindy 25<sup>th</sup> Birthday Celebrations to be held on Saturday 9<sup>th</sup> November 2019.

CARRIED

Tammy Quagliata undertook to email all members and distribute a roster.

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**CLAUSE 6                      FEEDBACK FROM OUTDOOR MOVIE NIGHT HELD AS PART OF MENTAL HEALTH WEEK**

Members gave feedback on the recent outdoor movie night held in the Burdekin Theatre Forecourt as part of Mental Heath Week. Members served free pizza, popcorn and drinks at the event. It was noted that approximately 60 people attended the event. Members noted they received very positive feedback and suggested that a similar event should be held more regularly.

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**CLAUSE 7                      DISCUSSIONS RE 2020 FAST TRACK GUEST**

It was noted that the 2020 Burdekin Fast Track Talent Showcase will be held at Burdekin Theatre on Saturday 21<sup>st</sup> March, 2020. Discussions were held regarding growing the event and rebranding it as a North Queensland Fast Track Talent Showcase to attract performers from further throughout the region.

Discussions were held regarding the possible celebrity guest for this year's event. Suggestions included:

Bella Paige (The Voice Finalist, 2018)  
Jesse Tenaki (The Voice, 2019)  
Jack Vidgen (The Voice Finalist, 2019)  
Jael Wena (Australia's Got Talent 2019 & Junior Eurovision 2018)

Tammy Quagliata undertook to liaise with the Fast Track team on possibilities and costing options for the above suggestions.

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## **CLAUSE 8            DISCUSSIONS RE CHRISTMAS BREAK-UP**

Discussions were held regarding the 2019 Christmas Break-Up. The most favourable suggestion was at the Burdekin Bowl on Sunday 24<sup>th</sup> November. Tammy Quagliata undertook to liaise with Burdekin Bowl and advise members.

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## **CLAUSE 9            GUEST SPEAKERS LORENZA PALOMBI & SARAH MCDONNELL RE AYR STATE HIGH SCHOOL GLOBAL HAWKS**

Sarah McDonnell and Lorenza Palombi from Ayr State High School addressed the meeting at this stage with regard to the Ayr State High School Global Hawks recycling and environmental initiative.

The joint initiative (with ASHS Student Council, Interact Club & \$20 Boss Enterprise aims to have students work together in order to reduce the impact of waste on the environment and also raising awareness on the many way in which waste can be managed. Projects will include Lids for Kids and Ring Pulls for Wheelchairs.

Burdekin Shire Youth Council Members were asked to raise awareness for the project both within their schools and the community.

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## **CLAUSE 10          OTHER GENERAL BUSINESS**

### ***Youth Parliament Update***

Sarah McDonnell gave the below report on her attendance at 2019 Queensland Youth Parliament:

*"Being elected as the Youth Member for Burdekin in the 2019 Queensland Youth Parliament has been such a humbling and rewarding experience. I have had the opportunity to speak in Parliament House on controversial topics including pill testing, animal cruelty and decriminalising sex workers as well as debate public matters of importance. I was honoured to deliver a Private Member's Statement dedicated to inspirational local man, Laurence Pavone, his fight against brain cancer and the potential for Personalised Medicine to create a cancer free world. I have met 92 other motivated youth from across Queensland and this experience has shown me just how powerful one voice can be. I want to thank Youth Council for their support and encourage everyone to have #yourvoiceheard".*

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## **NEXT MEETING – 11<sup>TH</sup> NOVEMBER 2019**

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

Sarah McDonnell  
YOUTH MAYOR

*Meeting Minutes taken by Tammy Quagliata.*

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### **3.4 RADF Advisory Group Meeting Minutes - 7 November 2019**

#### **Recommendation**

That the minutes of the RADF Advisory Group Meeting held on 7 November 2019 be received and adopted.

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**Burdekin Shire Council**

**Minutes – RADF Advisory Group Meeting held on Thursday, 7 November 2019**

Held at Ernie Ford Board Room  
The meeting commenced at 2-30pm

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**CLAUSE 1                    ATTENDANCE**

Cr U Liessmann – Chairman  
Mr David Cornwell - Manager Community Development  
Mrs Treena List  
Mrs Coral Colquhoun

Mrs Janice Horan – RADF Liaison Officer

Apologies:  
Cr J Bonanno  
Ms Erin Alloway  
Cr Lyn McLaughlin (Observer)

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**CLAUSE 2                    MEETING OPENED**

Cr Liessmann opened the meeting at 2.30pm and welcomed all attendees.

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**CLAUSE 3                    MINUTES OF 2 JULY 2019 MEETING RECEIVED**

It was resolved that the minutes of the RADF Advisory Group Meeting held on 2 July 2019 be received. CARRIED

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**CLAUSE 4                    BUSINESS ARISING FROM MINUTES**

The meeting noted that orders had been issued for the upgrade of the vacuum pump near Home Hill Diorama (from 2018/19 carry-over budget funds and 2019/20 budget funds). [Clause 6].

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**CLAUSE 5                    CONSIDERATION OF APPLICATIONS RECEIVED IN DECEMBER 2019 ROUND**

The meeting noted that funds of \$43,431 were available for two funding rounds in the 2019/20 year.

Mrs List declared a conflict of interest in Burdekin Singers and Theatre Company's application and did not partake in deliberations.

Mrs Colquhoun declared a conflict of interest in Burdekin Art Society's application and did not partake in deliberations.

Cr Liessmann declared a conflict of interest in Home Hill Chamber of Commerce's application as he is a Chamber Member and did not partake in deliberations.

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List of current funding applications:

Applicant	Project	Requested Funding	Recommended Funding
Burdekin Singers & Theatre Co	Towards cost of producing the musical "Beauty and the Beast"	\$5,000	\$5,000
Home Hill Chamber of Commerce	Towards cost of creating sculpture entitled "Home Hill Pump Project" at Home Hill Comfort Stop <i>The meeting noted that a further application for funds to Evolution Mining has been submitted, the outcome of which was not known at the time of the meeting.</i> <i>It is recommended that the application be reconsidered in next round when outcome of the funding application to Evolution Mining will be known.</i>	\$5,000	\$0
Burdekin Art Society	Towards cost of conducting Jane Blundell Painting Workshop 2020	\$1,615	\$1,615
Cecilia Cason	Towards cost of attending 2020 Queensland Band Camp in Brisbane 7-12 January 2020	\$500	\$500
Burdekin Shire Youth Council	Towards cost of conducting 2020 Burdekin Fast Track Talent Showcase	\$5,000	\$5,000
Burdekin Patchwork & Quilters Guild	Towards cost of conducting 2 day fabric mosaics workshop with tutor Robyn Taylor <i>It is recommended that the application be approved with the exception of \$700 materials component and that a standard for workshop attendance of \$50 per day be applied to the project, thus reducing funding.</i>	\$2,830	\$1,730
Burdekin Brass Band	Towards cost of conducting 2020 Brass Music Learner Classes <i>It is recommended that reduced funding of \$4,000 be approved on condition that they perform at all major community events.</i>	\$5,000	\$4,000
Brittany de Jong	Towards cost of attending 2020 Queensland Band Camp in Brisbane 7-12 January 2020	\$500	\$500
Burdekin Shire Council – Community Development Section	Towards cost of conducting 2020 Burdekin Cultural Fair	\$5,000	\$5,000
Burdekin Potters	Towards cost of conducting 2 day Fried Mudd Sculpture Workshop with Cathy Lawley on 6 and 7 June 2020 <i>It is recommended that the application be approved noting that a standard for workshop attendance of \$50 per day be applied to the project, thus reducing funding.</i>	\$1,600	\$1,100
Burdekin Shire Council – Tourism Section	Towards cost of undertaking "Sculpted by Fire" as part of 2020 Sweet Days, Hot Nights Festival	\$5,000	\$5,000
Home Hill Choral Society	Towards cost of producing "A Tribute to Doris Day" - the group's first production in their new hall from 14-16 February 2020 <i>It was noted that this was the Society's first application and that the budget did not balance. Mrs Horan will work with the Society in future to ensure the Society is aware of budget requirements.</i>	\$4,000	\$2,000
Estelle Poots	Towards cost of recording of original song written	\$1,850	\$500

	and performed by applicant <i>It was noted that although the subject matter of the proposed recording would have benefit to the wider community, a grant of \$500 was considered relevant to the project in line with individual professional development projects.</i>		
TOTAL		\$42,895	\$31,945

The Committee recommends funding of RADF projects as listed above for Round 1 of the 2019/20 funding year.

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#### **CLAUSE 6 STANDARD FEE FOR WORKSHOP ATTENDANCE RECOMMENDED**

The meeting noted that there is disparity in fees charged by community groups for individuals attending RADF funded skill development workshops.

It is recommended that a standard fee of \$50 per day per attendee be adopted for community groups conducting skill development workshops where a community group is accessing and benefiting from RADF funds.

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#### **CLAUSE 7 PROPOSED MURAL – FORMER HOME HILL CO-OP BUILDING (45-47 SIXTH STREET, HOME HILL)**

The meeting discussed the desire to replace the existing faded mural on the Home Hill Co-Op Building.

It is recommended that funds of \$10,000 included in Public Artwork component of the 2019/21 Works for Queensland Program for allocation towards installation of skins on shopfronts at various locations be re-directed to replacing the existing faded mural on the Home Hill Co-Op Building, noting that a sea/creek seascape theme is recommended.

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#### **CLAUSE 8 PROPOSED MURAL – KALAMIA CANE GROWERS' BUILDING (140 YOUNG STREET, AYR)**

The meeting discussed the proposed location of a mural to be installed in Ayr CBD utilising 2019/21 Works for Queensland funds (Public Artwork Project).

It is recommended that the proposed mural be installed on Kalamia Cane Growers' building as :

- (a) it is considered the most suitable location;
- (b) the wall is free of windows, doors etc;
- (c) the location has high exposure to central business district;
- (c) approval of owners of premises has been provided;
- (d) the proposed theme requested by the owners of a cane industry theme is considered most appropriate for the district.

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#### **CLAUSE 9 CONTINUAL VANDALISM OF ARTWORK OUTSIDE ENTRANCE TO BURDEKIN LIBRARY**

The meeting noted that continual vandalism was occurring to artwork outside the entrance to Burdekin Library in Graham Street, Ayr.

It is recommended that consideration be given to relocating the artwork closer to the Graham Street frontage to the Burdekin Library, coinciding with refurbishment and upgrade works

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scheduled to be undertaken as part of the 2019/21 Works for Queensland Program.

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**CLAUSE 10                   SITES FOR INSTALLATION OF “4807” ARTWORK TO BE INVESTIGATED**

The meeting noted that the “4807” artwork had not yet been installed as part of 2017-19 Works for Queensland Program.

It is recommended that suitable sites be investigated for the installation of the “4807” artwork and that further consideration be given to possible sites at the next meeting.

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**CLAUSE 11                   DISCUSSIONS ON MAXIMUM GRANT AVAILABLE THROUGH REGIONAL ARTS DEVELOPMENT FUND**

The meeting noted that the maximum grant available through the Regional Arts Development Fund was \$5,000 and discussed whether this amount should be increased.

It is recommended that the maximum grant available through the Regional Art Development Fund remain at \$5,000.

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**CLAUSE 12                   CONSIDERATION GIVEN TO ARTWORK OF WORDING “AYR”**

Cr Liessmann drew attention to large artwork of words (such a “Imagine”) which had been successfully installed in various locations. He recommended that consideration be given to investigating the cost of large artwork of the word “Ayr” for installation in a suitable, prominent location.

It was noted that nine signs of various sizes and condition were proposed to be renewed as part of the Gateway and Town Entrance Signage Project utilising 2019-21 Works for Queensland funds. It was agreed to defer consideration of this “Ayr” artwork project until the Gateway and Town Entrance Signage project was completed.

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**CLAUSE 13                   PRESENTATIONS BY MANAGER COMMUNITY DEVELOPMENT, MR DAVID CORNWELL**

The Manager Community Development, Mr David Cornwell discussed with the meeting:  
(a) Requirements for adherence to Council’s Purchasing Policy and preparation of an expression of interest for a panel of artists able to undertake murals and artwork commissions; and  
(b) Public art recently undertaken in the Mackay area.

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There being no further business, the meeting closed at 4.50pm.

Cr U Liessmann  
CHAIRMAN

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### **3.5 Local Disaster Management Group Meeting Minutes - 15 November 2019**

#### **Recommendation**

That the minutes of the Local Disaster Management Group Meeting held on 15 November 2019 be received as a true and correct record.

## Local Disaster Management Group Meeting

Held on 15 November 2019

Council Administration Building – John Drysdale Chambers

### 1. Attendance

#### Core Members

Councillor John Woods	Deputy Chairperson	Burdekin Shire Council
Ms. Eileen Robinson	Local Disaster Coordinator	Burdekin Shire Council
Mr. Wayne Saldumbide	Manager Operations	Burdekin Shire Council
Mr. Shane Great	Deputy Local Disaster Coordinator	Burdekin Shire Council
Ms. Linda Govan	Coordinator Environment and Health Projects	Burdekin Shire Council
Ms. Debra Cochran	Welfare – Chief Executive Officer	Burdekin Community Association
Mr. Brett McGuire	Officer in Charge	Queensland Ambulance Services – Ayr
Senior Sergeant Steven Barton	Officer in Charge	Queensland Police Service – Ayr
Mr. Robert Sutcliffe	Local Controller	State Emergency Service

#### Apologies - Core Members

Councillor Lyn McLaughlin	Mayor – Chairperson	Burdekin Shire Council
Mr. Nick Wellwood	Director Infrastructure, Planning and Environmental Services	Burdekin Shire Council
Mr. Kevin Byers	Manager Technical Services	Burdekin Shire Council
Mr. Andy Pethybridge	Emergency Management Coordinator	Queensland Fire and Emergency Services
Mr. Steven Knight	Area Commander of Southern Command	Queensland Fire and Emergency Services

#### Advisors

Councillor Ted Bawden	Councillor	Burdekin Shire Council
Councillor Tony Goddard	Councillor	Burdekin Shire Council
Mr. Warren Francis	Disaster Management Officer	Burdekin Shire Council
Mrs. Tracey Hobbs	Service Coordinator	Burdekin Centre for Rural Health, Burdekin Community Association
Mrs. Rebecca Grogan	Housing and Community Support Services Coordinator	Burdekin Community Association
Mr. Craig Caton	Liaison Officer	Department of Transport and Main Roads
Mr. Mark Biffanti	Area Manager	Energy Queensland
Mrs. Deanna Murray	Workplace Health and Safety Officer	Lower Burdekin Home for the Aged – Ayr and Home Hill
Mr. Greg Vincent	Member	Queensland Fire and Emergency Services
Mrs. Tracey Gabiola	Director of Nursing (Acting)	Queensland Health – Ayr
Sergeant Steve Wilson	Officer in Charge	Queensland Police Services – Home Hill
Senior Sergeant Brenton Webb	Executive Officer – Townsville DDMG	Queensland Police Services
Mr. John Winn	Deputy Local Controller	State Emergency Services
Mr. Charles Scuderi	Radio Announcer	Sweet FM
Mr. Brian Carnes	Radio Announcer	Sweet FM
Mr. David Papale	President	Volunteer Marine Rescue – Burdekin

## Local Disaster Management Group Meeting

Held on 15 November 2019

Council Administration Building – John Drysdale Chambers

Mr. Lionel Tappenden	Vice President	Volunteer Marine Rescue – Burdekin
<b>Apologies - Advisors</b>		
Mr. Terry Brennan	Chief Executive Officer	Burdekin Shire Council
Mr. Nick O'Connor	Director Corporate and Community Services	Burdekin Shire Council
Mr. Nathan Toll	Media and Communications Officer	Burdekin Shire Council
Mrs. Janai Giddy	Deputy Disaster Management Officer	Burdekin Shire Council
Mr. Brett Whitbread	Senior Community Recovery Officer	Department of Transport and Main Roads
Mrs. Colleen Harris	Representative	Energy Queensland
Mr. Matthew Oar	Representative	Energy Queensland
Mr. George Christensen	Member of Parliament	Federal Member of Dawson
Ms. Sue Collier	Chief Executive Officer	Flexi Queensland
Mrs. Joanne Beadle	Representative	GIVIT
Mrs. Sharon Galeano	Senior Advisor	Department of Communities, Disability Services and Seniors
Mr Jim Collins	Representative	Lower Burdekin Home for the Aged
Mr. Michael Caspanello	Representative	Lower Burdekin Water Board
Mr. Steve Brennan	Station Officer	Queensland Fire and Rescue – Home Hill Fire Brigade
Mr. James Stuart	Emergency Management Coordinator	Sunwater
Mrs. Katrina McIntosh	Representative	The Salvation Army
Mr. Vince Papale	Member	Volunteer Marine Rescue – Burdekin
Minutes Clerk – Mrs. A. Dale		
<b>2. Minutes Received</b>		
<b>MINUTES OF THE BURDEKIN SHIRE COUNCIL LOCAL DISASTER MANAGEMENT GROUP MEETING HELD ON 18 OCTOBER 2019</b>		
<p>2.1 Moved Mr. Rob Sutcliffe, seconded Senior Sergeant Steve Barton that the minutes of the Burdekin Shire Council Local Disaster Management Group Meeting held on Friday 18 October 2019 be received as a true and correct record.</p>		
CARRIED		
<b>3. Business Arising out of Minutes and Review Action Items List</b>		
3.1 Nil		
<b>4. Correspondence for Information</b>		
4.1 Nil		

### 5. Agency Reports

#### 5.1 Mr. Greg Vincent – Queensland Fire and Emergency Services

1. Mr. Vincent gave an overview of Mr. Andy Pethybridge's report in his absence due to deployment.

#### 5.2 Mr. Wayne Saldumbide – Burdekin Shire Council

1. Council has received \$108,830 to purchase mobile generators to build disaster resilience in the Burdekin Shire under the Category C Far North Queensland and North Queensland Monsoon Trough Flexible Funding Grant – Round 1 2019; a grant jointly funded under the Commonwealth/State Disaster Recovery Funding Arrangements. The mobile generators would predominantly be used to provide power to sewage pump stations during disaster events.
2. Council has also received \$204,000 from the Queensland Government 2018 - 2019 Prepared Communities Fund to install an emergency backup generator to service the Conlan Street water supply borefield.
3. Council are about to commence testing back-up equipment with the impending cyclone season.

#### 5.3 Mr. Rob Sutcliffe – State Emergency Services

1. Have received two petrol pumps kindly donated by Davey Pumps and organised through Furlong Agencies. One for SES and the other for VMR.
2. Currently have four members on stand-by for deployment.
3. Have had two flood boats serviced by the council workshop and will start rotating the boats to ensure all boats are serviced.
4. Have two new flood boat operators – Mr. Michael Delacy and Ms. Kate Russo.

#### 5.4 Mr. Mark Biffanti – Ergon Energy

1. Ergon are monitoring the bushfire activity. The closest fire locally has been Gregory River where Ergon lost several power poles.
2. The team are in readiness and on standby for the Mackay to Yeppoon areas.
3. Other Regional Centres have been activated in accordance with the Emergency Management Plan due to the current fire situations.

#### 5.5 Mr. Lionel Tappenden – Volunteer Marine and Rescue

1. Finalised the installation of the weather repeater on Mount Inkerman and are in discussions with Mr. Benvenuti to see if VMR can broadcast cyclone warnings during the cyclone season automatically. This is still a work in progress.

#### 5.6 Mr. Brett McGuire – Queensland Ambulance Services

1. Townsville have set up a Local Control Centre at Hugh Street Ambulance Station and are monitoring any issues that may arise from the fires.
2. Some Townsville staff have been deployed south. Ayr staff have not been deployed at this stage.

#### 5.7 Councillor John Woods – Burdekin Shire Council

1. Our thoughts are with those who have been deployed and hope that those at risk in the fire areas stay safe and the fires can be brought under control.



### 6. Deputy Local Disaster Coordinator Update

#### 6.1 Mrs. Eileen Robinson – Burdekin Shire Council

1. Are You Ready Expo – 16 November 2019 – 3.00pm Plantation Park
  - a. Mrs. Robinson would like to thank all who have been involved with the preparations for the 2019 Are You Ready Expo to be held on 16 November 2019 at Plantation Park. Mrs. Robinson reported that staff will be at the park from 9/9.30am to assist set up and a briefing will be held at 2.00pm.
  - b. Mrs. Robinson also reminded those involved with the Are Your Ready Expo that there will be a meeting at the conclusion of the LDMG Meeting.

### 7. General Business

#### 7.1 Councillor John Woods – Burdekin Shire Council

1. Councillor Woods wished the group a happy and holy Christmas.

There being no further business the meeting closed at 12:18pm.

The next meeting will be held on 18 January 2019.

CHAIRPERSON



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## **4 REPORTS**

### **4.1 Financial Report - October 2019**

#### **Recommendation**

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

## Financial Report - October 2019



The following report provides a summary of Council's financial performance to 31 October 2019.

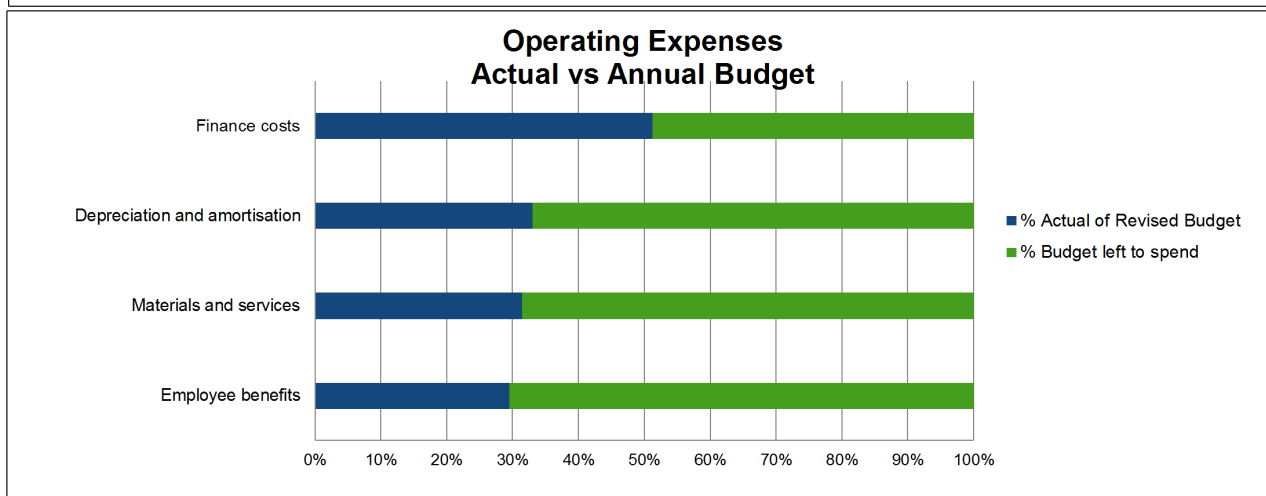
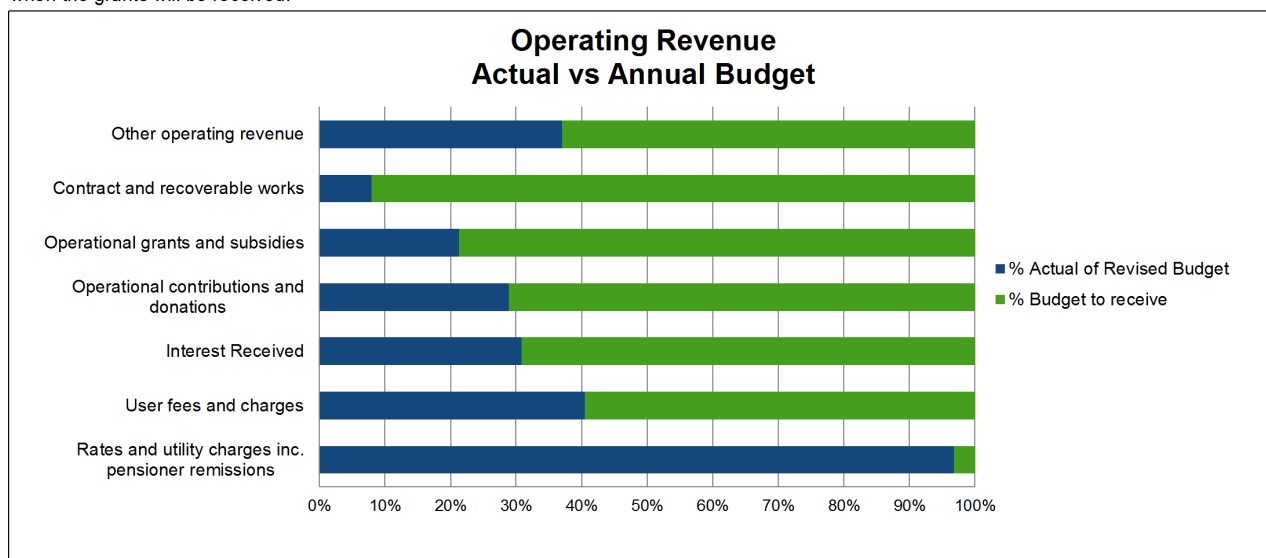
The first revised budget was adopted by Council on 22 October 2019. This report has been prepared using the first revised budget.

### FINANCIAL STATEMENTS AT A GLANCE

As at 31 October 2019	Actual \$	Annual Budget \$	YTD Budget \$	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Total Operating Revenue	41,407,427	51,137,371	43,009,880	-1,602,453	-4%
Total Operating Expenses	16,437,312	52,874,385	18,988,841	-2,551,529	-13%
<b>Operating Position</b>	<b>24,970,115</b>	<b>-1,737,014</b>	<b>24,021,039</b>	<b>949,076</b>	<b>4%</b>
Capital Revenue	561,645	5,084,790	4,613,871	-4,052,226	-88%
<b>Net Result</b>	<b>25,531,760</b>	<b>3,347,776</b>	<b>28,634,910</b>	<b>-3,103,150</b>	<b>-11%</b>

This report contains financial information for the period ending 31 October 2019. Council's operating position at month end is a \$24.97M surplus.

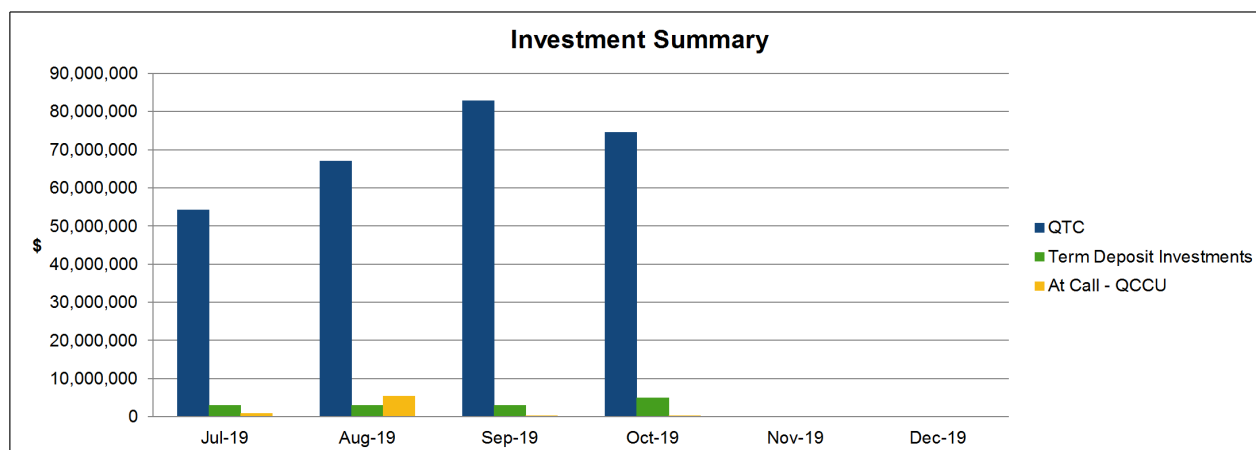
Capital Revenue includes capital grants which are budgeted to be received in July. The nature of capital grants means that it is often unknown when the grants will be received.



## INVESTMENT PORTFOLIO

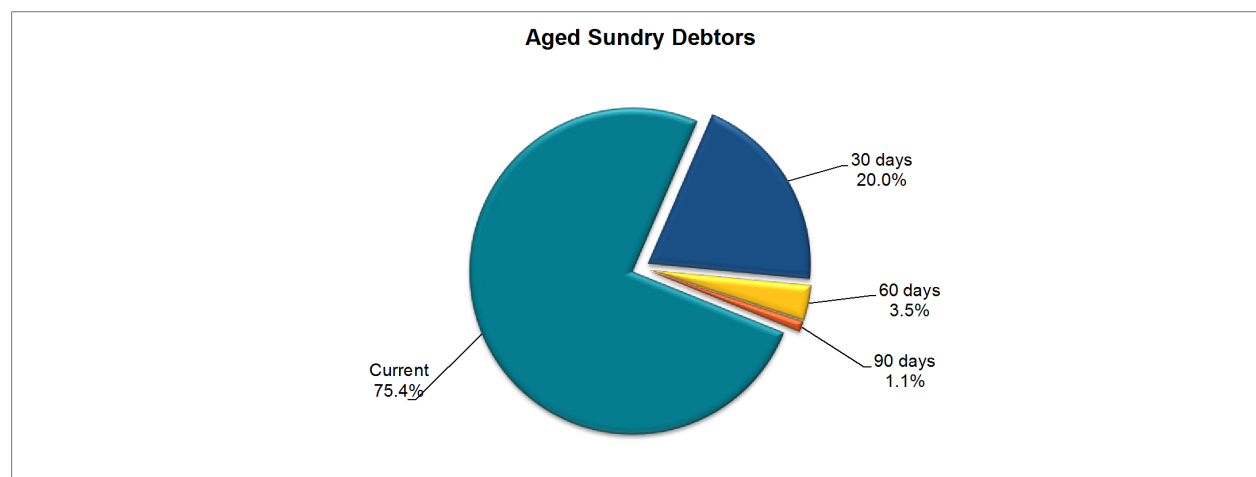
### Investment Report as at 31 October 2019 (including at call cash)

	Total Invested	Average Current Rate Weighted	% Invested
Bendigo	2,000,000	1.60%	2.5%
QCCU	3,000,000	2.40%	3.7%
QTC	74,724,626	1.67%	93.3%
QCCU General	355,351	1.65%	0.4%
<b>Total Funds</b>	<b>\$80,079,977</b>		



## SUNDRY DEBTORS

Total outstanding Sundry Debtors as at 31 October are \$355,150

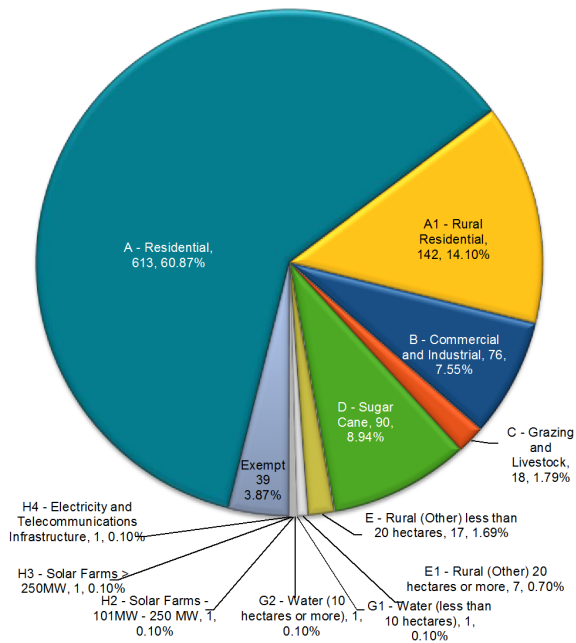


## RATES

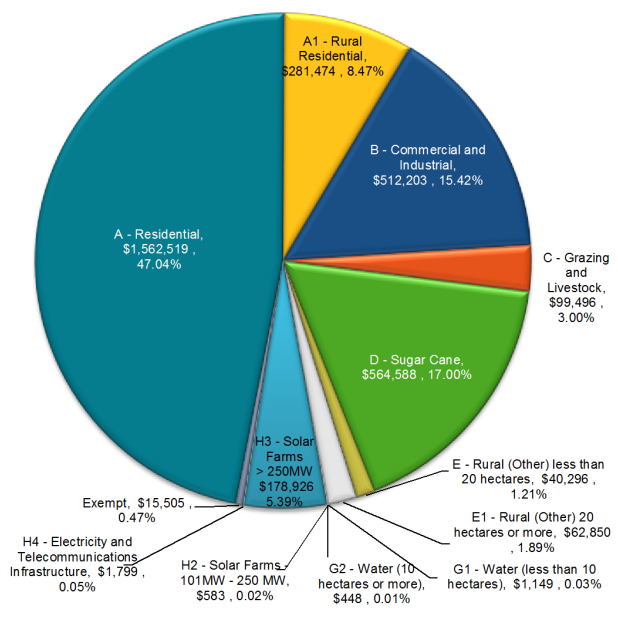
Arrears as at 1 July 2019		\$1,016,025
Levy and fees raised *	\$41,594,405	
Interest charged *	\$77,085	
Less Pensioner subsidy and rebate	<u>\$639,811</u>	\$41,031,679
Payments received		<u>\$38,726,538</u>
Arrears as at 31 October 2019		<u><u>\$3,321,166</u></u>
% Arrears October 2019		7.90%
% Arrears October 2018		7.10%
Pre-payments as at 31 October 2019		\$466,566
Pre-payments as at 31 October 2018		\$377,628

\* includes State Govt Emergency Management Levy

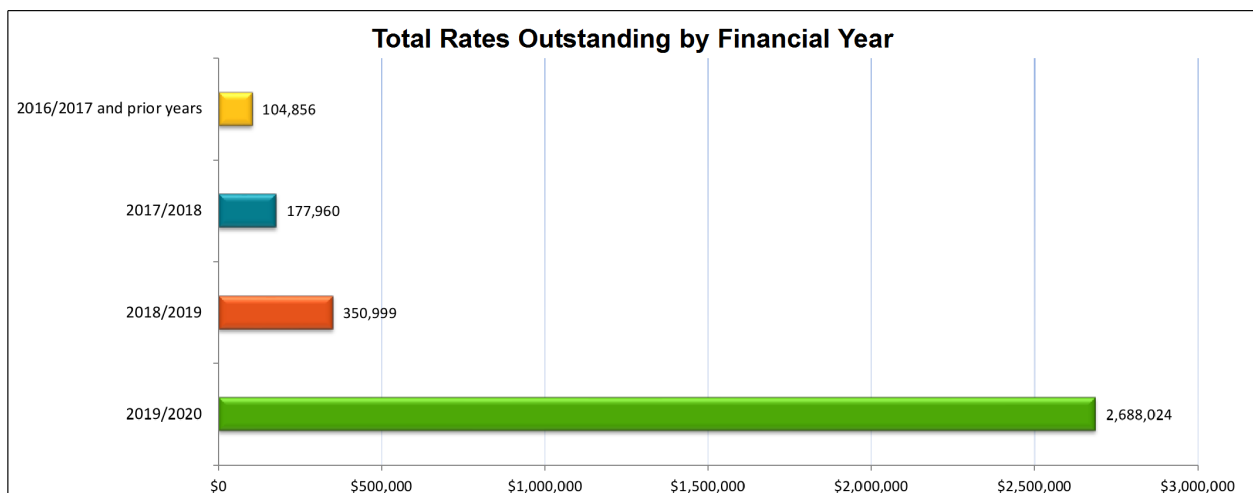
**Number of Properties with Outstanding Rates by Rating Category**



**\$ Value of Outstanding Rates by Rating Category**



**Total Rates Outstanding by Financial Year**



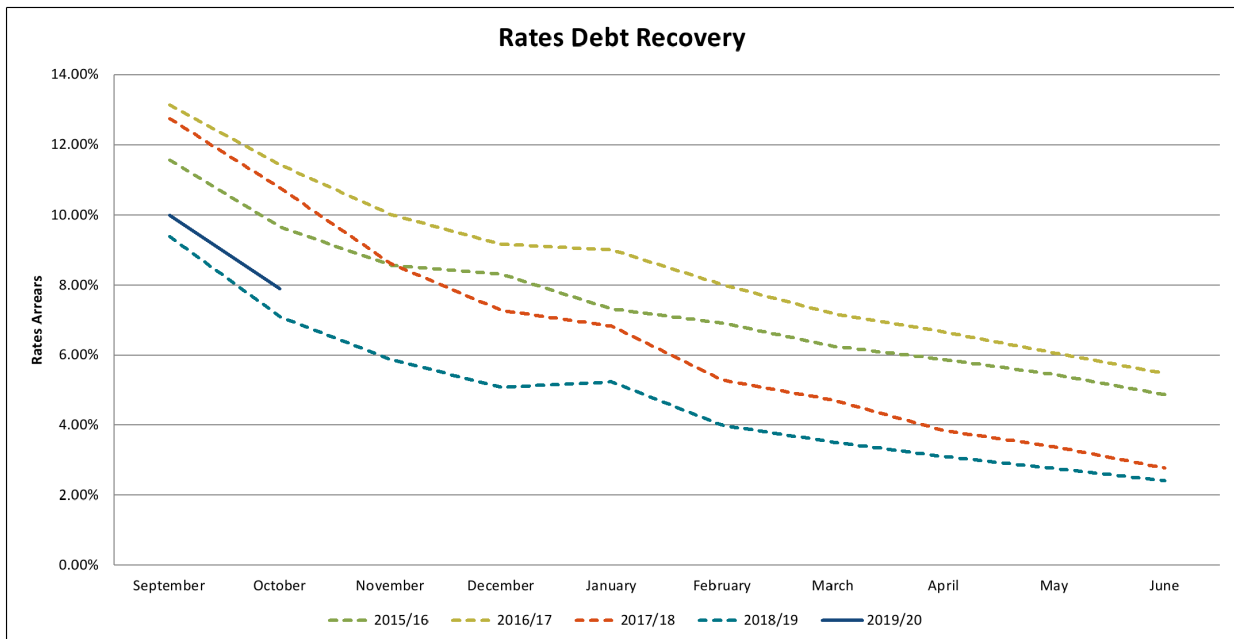
## Rates Debt Recovery

### Collection House - Debt Referral

Council reviewed properties with overdue balances from the 2019/2020 Annual Levy and referred 319 new files to Collection House in October. Collection House continues to monitor ratepayers that were referred to them in the 2018/2019 financial year and currently monitor a total of 404 active files.

### Council Periodic Payment Plans

In addition to the properties referred to Collection House, there are 420 current periodic payment plans made directly with Council in comparison with 324 payment plans made during the same period in 2018. These plans are continuing to be monitored by Rates Staff to ensure conformity.



## OVERVIEW OF COUNCIL'S CAPITAL PROJECTS

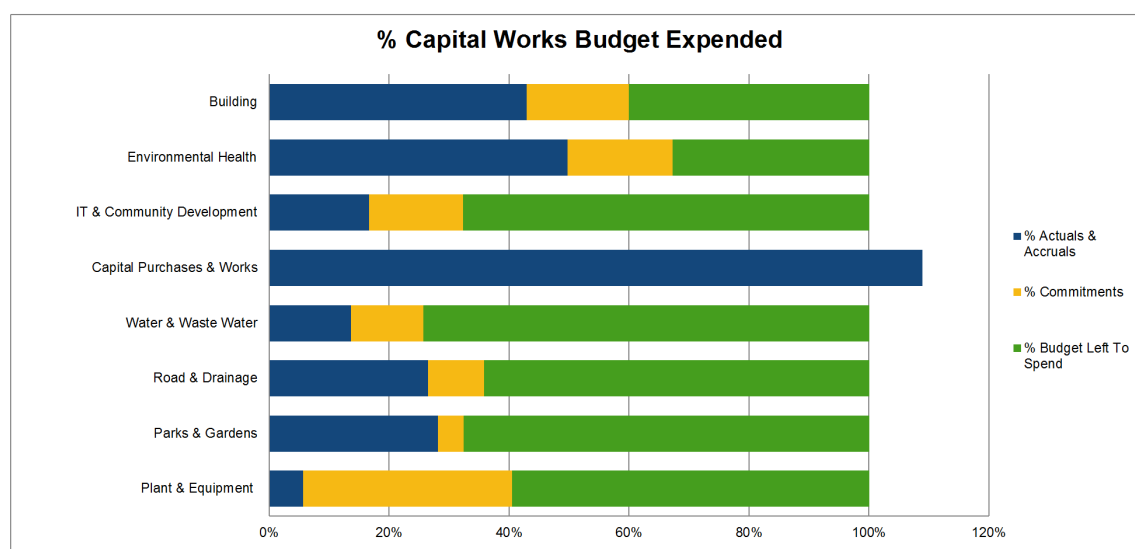
Capital expenditure incurred for the year to 31 October, is shown by asset category in the table below.

Capital project expenditure to 31 October is \$6,749,930. In addition to this, there is \$3,033,810 of commitments.

### Financial Overview by Asset Category

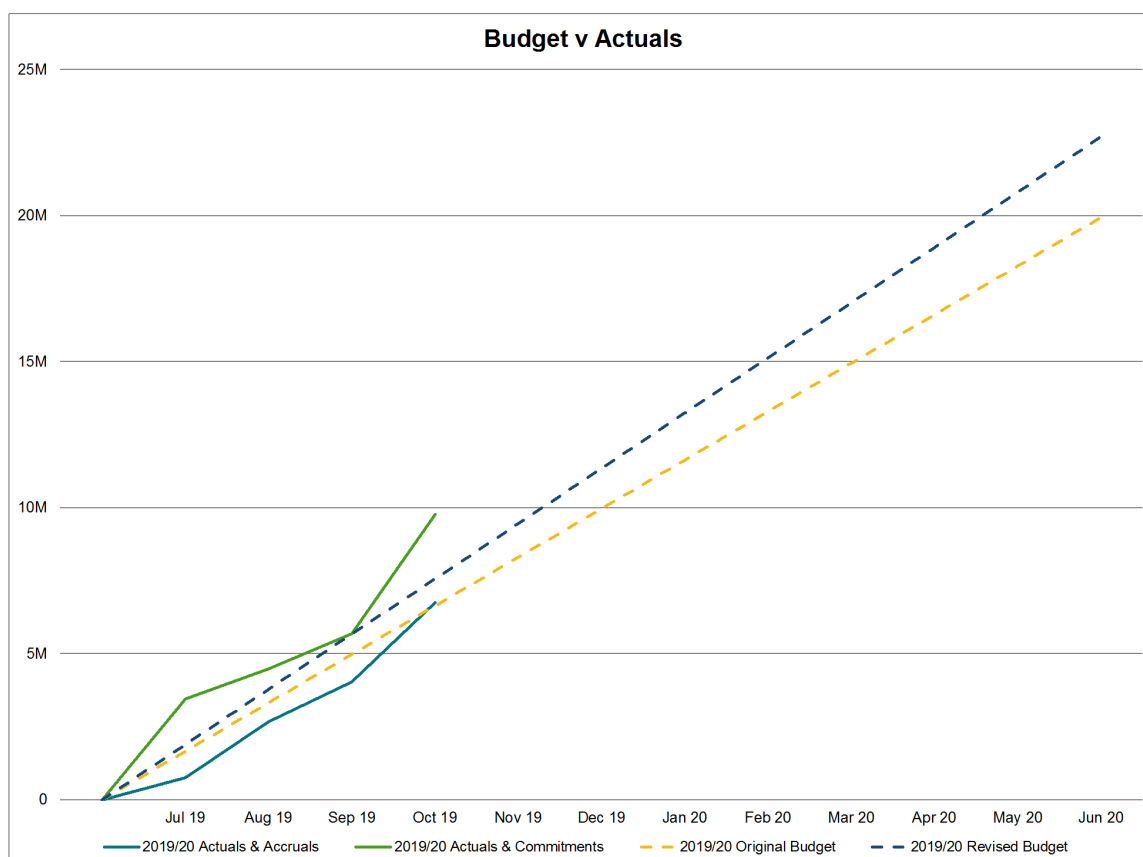
Asset Category	Original Budget	Revised Budget	Actuals & Accruals	Commitments	Total
Building	\$ 1,703,100	\$ 2,381,129	\$ 1,023,279	\$ 404,797	\$ 1,428,077
Environmental Health	\$ 430,000	\$ 897,024	\$ 446,093	\$ 157,806	\$ 603,899
IT & Community Development	\$ 605,200	\$ 651,016	\$ 108,373	\$ 102,130	\$ 210,502
Capital Purchases & Works	\$ 1,740,000	\$ 1,740,000	\$ 1,893,234	\$ -	\$ 1,893,234
Water & Waste Water	\$ 4,804,000	\$ 5,511,349	\$ 753,153	\$ 665,591	\$ 1,418,745
Road & Drainage	\$ 8,182,000	\$ 8,450,924	\$ 2,237,238	\$ 789,916	\$ 3,027,154
Parks & Gardens	\$ 375,000	\$ 512,094	\$ 143,993	\$ 22,020	\$ 166,013
Plant & Equipment	\$ 2,100,000	\$ 2,557,099	\$ 144,567	\$ 891,550	\$ 1,036,117
<b>TOTAL</b>	<b>\$ 19,939,300</b>	<b>\$ 22,700,635</b>	<b>\$ 6,749,930</b>	<b>\$ 3,033,810</b>	<b>\$ 9,783,740</b>

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



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

## OVERVIEW OF COUNCIL'S CAPITAL PROJECTS



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 2019.

### APPENDIX 4 - STATEMENT OF CASH FLOWS

Attached is the Statement of Cash Flows for the period ending 31 October 2019.

**OPERATING STATEMENT**  
**Period Ending 31 October 2019**

**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
<b>Operating Revenue</b>					
Operational contributions and donations	0	0	667	-667	-100%
Operational grants and subsidies	0	0	14,528	-14,528	-100%
Other operating revenue	0	868	18,651	-17,783	-95%
<b>Total operating revenue</b>	<b>0</b>	<b>868</b>	<b>33,846</b>	<b>-32,978</b>	<b>-97%</b>
<b>Operating Expenses</b>					
Employee benefits	99,633	400,355	421,625	-21,270	-5%
Materials and services	30,585	131,947	372,287	-240,339	-65%
<b>Total operating costs</b>	<b>130,218</b>	<b>532,302</b>	<b>793,911</b>	<b>-261,609</b>	<b>-33%</b>
<b>Surplus (deficit) from operating activities</b>	<b>-130,218</b>	<b>-531,434</b>	<b>-760,065</b>	<b>228,632</b>	<b>-30%</b>
<b>Net result for period</b>	<b>-130,218</b>	<b>-531,434</b>	<b>-760,065</b>	<b>228,632</b>	<b>-30%</b>

**Comments****Operational grants and subsidies**

Economic Development Strategy Grant funding not yet received.

**Other operating revenue**

Majority of revenue budgeted is for sponsorship and income from the Sweet Days Hot Nights festival which will not be received until the second half of the financial year.

**Materials and services**

Budget includes costs for Sweet Days Hot Nights festival and preparation of the economic development strategy, these expenses will not occur until the second half of the financial year. The budget also includes the refund of the grant payment received last financial year for the first year of funding for the Regional Skills Investment Coordinator role which will not be proceeding. This refund will be paid in November.



**OPERATING STATEMENT**  
**Period Ending 31 October 2019**

**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
<b>Operating Revenue</b>					
User fees and charges	3,933	41,425	34,241	7,184	21%
Operational contributions and donations	7,984	7,984	6,000	1,984	33%
Operational grants and subsidies	0	97,228	97,228	0	0%
Other operating revenue	325	516	833	-318	-38%
<b>Total operating revenue</b>	<b>12,242</b>	<b>147,153</b>	<b>138,303</b>	<b>8,850</b>	<b>6%</b>
<b>Operating Expenses</b>					
Employee benefits	41,904	193,076	203,394	-10,318	-5%
Materials and services	34,375	206,885	261,300	-54,415	-21%
Depreciation and amortisation	95,210	377,775	377,333	441	0%
<b>Total operating costs</b>	<b>171,489</b>	<b>777,736</b>	<b>842,028</b>	<b>-64,292</b>	<b>-8%</b>
<b>Surplus (deficit) from operating activities</b>	<b>-159,247</b>	<b>-630,583</b>	<b>-703,725</b>	<b>73,142</b>	<b>-10%</b>
 Capital grants and subsidies	 0	 0	 124,261	 -124,261	 -100%
<b>Net result for period</b>	<b>-159,247</b>	<b>-630,583</b>	<b>-579,464</b>	<b>-51,119</b>	<b>9%</b>

**Comments**

**User fees and charges**

Annual invoices for various paddock rentals have been issued. Monthly Aerodrome Rental income more than budget.

**Operational contributions and donations**

Electricity contributions at Home Hill Showgrounds more than budget.

**Employee benefits**

Under budget due to the amount of staff leave taken.

**Materials and services**

Budgeted PCYC payment has been made, however this was accrued back to last financial year. This budget will be amended in the second revision. Council Chambers cleaning expenses are below budget.

**Capital grants and subsidies**

Final grant funding not yet received for Works for Queensland 2017-19.

**OPERATING STATEMENT**  
**Period Ending 31 October 2019**

**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
<b>Operating Revenue</b>					
Operational grants and subsidies	0	0	12,500	-12,500	-100%
Other operating revenue	2,817	27,737	27,742	-5	0%
<b>Total operating revenue</b>	<b>2,817</b>	<b>27,737</b>	<b>40,242</b>	<b>-12,505</b>	<b>-31%</b>
<b>Operating Expenses</b>					
Employee benefits	145,847	479,137	845,148	-366,011	-43%
Materials and services	64,785	928,287	926,808	1,479	0%
<b>Total operating costs</b>	<b>210,632</b>	<b>1,407,424</b>	<b>1,771,955</b>	<b>-364,532</b>	<b>-21%</b>
<b>Surplus (deficit) from operating activities</b>	<b>-207,815</b>	<b>-1,379,687</b>	<b>-1,731,713</b>	<b>352,027</b>	<b>-20%</b>
Capital grants and subsidies	0	0	41,250	-41,250	-100%
<b>Net result for period</b>	<b>-207,815</b>	<b>-1,379,687</b>	<b>-1,690,463</b>	<b>310,777</b>	<b>-18%</b>

**Comments**

**Operational grants and subsidies**

Under budget due to Get Ready Queensland grant funding not yet received. This had been budgeted to be received in October.

**Employee benefits**

This budget is for the staff wages within the Client Services department, as well as employee related costs for the whole organisation. Within the Client Services department, ICT is over budget due to current projects requiring extra hours to be worked.

Employee Benefits for the whole of Council are under budget due to the following contributing factors - Annual Leave, Long Service Leave and Superannuation. The main variance is from oncost recoveries which are not calculated when employees take leave. Generally this area tracks under budget until the Christmas shutdown, which is the largest "leave" period for the year.

**Capital grants and subsidies**

Budgeted grant funding for replacement roof at SES building not yet received.

**OPERATING STATEMENT**  
**Period Ending 31 October 2019**

**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
<b>Operating Revenue</b>					
User fees and charges	14,020	65,080	74,287	-9,207	-12%
Operational grants and subsidies	0	10,802	11,000	-198	-2%
Other operating revenue	4,227	40,651	34,467	6,184	18%
<b>Total operating revenue</b>	<b>18,246</b>	<b>116,533</b>	<b>119,753</b>	<b>-3,220</b>	<b>-3%</b>
<b>Operating Expenses</b>					
Employee benefits	127,956	557,387	586,348	-28,961	-5%
Materials and services	72,070	541,784	587,208	-45,424	-8%
Depreciation and amortisation	10,721	29,863	25,500	4,363	17%
<b>Total operating costs</b>	<b>210,747</b>	<b>1,129,035</b>	<b>1,199,057</b>	<b>-70,022</b>	<b>-6%</b>
<b>Surplus (deficit) from operating activities</b>	<b>-192,501</b>	<b>-1,012,502</b>	<b>-1,079,303</b>	<b>66,802</b>	<b>-6%</b>
Capital grants and subsidies	0	21,586	80,000	-58,414	-73%
Other capital income (expense)	-12,859	-12,859	0	-12,859	-
<b>Net result for period</b>	<b>-205,360</b>	<b>-1,003,775</b>	<b>-999,303</b>	<b>-4,471</b>	<b>0%</b>

**Comments**

**User fees and charges**

Under budget for hire fees at Theatre and memorial Hall. This income is variable depending on the number of hires.

**Other operating revenue**

Ahead of budget due to ticket sales for theatre promotions.

**Employee benefits**

Under year to date budget due to higher than normal annual leave taken by cultural facilities staff.

**Materials and services**

Currently under year to date budget in Cultural Facilities. Budget includes planned repairs and maintenance expenditure at the Burdekin Theatre.

**Capital grants and subsidies**

Grant funding not yet received for Works for Queensland 2019-21.

**Other capital income (expense)**

Write off of assets at Ayr Showgrounds.

**OPERATING STATEMENT**  
**Period Ending 31 October 2019**

**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
<b>Operating Revenue</b>					
Rates and Utility Charges	0	88,042	87,940	102	0%
User fees and charges	54,194	330,110	354,600	-24,490	-7%
Operational contributions and donations	7,800	29,692	30,400	-708	-2%
Operational grants and subsidies	0	15,000	15,000	0	0%
Other operating revenue	1,032	3,572	3,400	172	5%
<b>Total operating revenue</b>	<b>63,026</b>	<b>466,416</b>	<b>491,340</b>	<b>-24,924</b>	<b>-5%</b>
<b>Operating Expenses</b>					
Employee benefits	116,240	455,995	498,577	-42,582	-9%
Materials and services	163,562	502,161	548,122	-45,961	-8%
Depreciation and amortisation	25,990	100,829	102,100	-1,271	-1%
<b>Total operating costs</b>	<b>305,792</b>	<b>1,058,985</b>	<b>1,148,799</b>	<b>-89,814</b>	<b>-8%</b>
<b>Surplus (deficit) from operating activities</b>	<b>-242,766</b>	<b>-592,568</b>	<b>-657,459</b>	<b>64,890</b>	<b>-10%</b>
 Other capital income (expense)	 -60,252	 -60,252	 0	 -60,252	 -
<b>Net result for period</b>	<b>-303,018</b>	<b>-652,820</b>	<b>-657,459</b>	<b>4,639</b>	<b>-1%</b>

**Comments**

**User fees and charges**

Income from Health licences and permits behind monthly budget, further income to be received in May/June 2020. Animal registrations and caravan park income are slightly behind budget.

**Employee benefits**

Under budget due to vacancies in Pest Management area, reduced overtime in Animal Management and reduced casual hours at the Millaroo and Clare Swimming Pools.

**Materials and services**

Mainly under monthly budget in swimming pools due to Ayr Pool closure in July/August and in the Pest Management area due to staff vacancies impacting on works undertaken. These are offset by an increase in Caravan Park expenditure due to the unbudgeted repair of electricity cabling.

**Other capital income (expense)**

Write off of associated asset following refurbishment of the Ayr Pool.

**OPERATING STATEMENT**  
**Period Ending 31 October 2019**

**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
<b>Operating Revenue</b>					
Rates and Utility Charges	-12	4,045,955	4,041,393	4,562	0%
User fees and charges	43,025	141,177	243,333	-102,156	-42%
Interest Received	12,200	45,341	49,300	-3,959	-8%
Other operating revenue	2,309	28,578	69,915	-41,337	-59%
<b>Total operating revenue</b>	<b>57,521</b>	<b>4,261,051</b>	<b>4,403,941</b>	<b>-142,890</b>	<b>-3%</b>
<b>Operating Expenses</b>					
Employee benefits	64,130	247,073	251,707	-4,633	-2%
Materials and services	248,801	551,035	886,033	-334,998	-38%
Depreciation and amortisation	31,404	116,328	120,967	-4,638	-4%
<b>Total operating costs</b>	<b>344,335</b>	<b>914,437</b>	<b>1,258,706</b>	<b>-344,269</b>	<b>-27%</b>
<b>Surplus (deficit) from operating activities</b>	<b>-286,814</b>	<b>3,346,614</b>	<b>3,145,235</b>	<b>201,379</b>	<b>6%</b>
Capital grants and subsidies	0	86,879	28,960	57,919	200%
Other capital income (expense)	-13,718	-36,610	0	-36,610	-
<b>Net result for period</b>	<b>-300,532</b>	<b>3,396,883</b>	<b>3,174,195</b>	<b>222,688</b>	<b>7%</b>

**Comments**

**User fees and charges**

Under budget due to waste accounts issued in arrears. The revised budget overstated the Waste Levy amount to be received at Kirknie Landfill by \$201,000, this will be corrected in the second revision.

**Interest Received**

Under budget due to lower interest rates available for investments.

**Other operating revenue**

Under budget due to container refund scheme income not yet received.

**Materials and services**

Revised budget overstated by \$650,335 for payments to the State Government for the Waste Levy, this will be corrected in the second revision. Two monthly payments to Cleanaway for disposal in arrears. Outstanding transactions for September and October for the State Government Waste Levy are also contributing to the budget variance.

**Capital grants and subsidies**

The budget for the waste Levy Ready program grant funding was split evenly over 12 months. This grant has been received in full.

**Other capital income (expense)**

Disposal of assets at Kirknie Landfill.

**OPERATING STATEMENT**  
**Period Ending 31 October 2019**

**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
<b>Operating Revenue</b>					
Rates and Utility Charges	372	27,781,634	27,779,582	2,052	0%
Pensioner remissions	0	-323,679	-323,100	-579	0%
User fees and charges	3,721	31,203	30,744	459	1%
Interest Received	90,247	237,116	259,320	-22,204	-9%
Operational grants and subsidies	2,500	343,223	455,723	-112,500	-25%
Other operating revenue	35,264	35,864	35,667	198	1%
<b>Total operating revenue</b>	<b>132,104</b>	<b>28,105,361</b>	<b>28,237,936</b>	<b>-132,575</b>	<b>0%</b>
<b>Operating Expenses</b>					
Employee benefits	135,065	627,478	628,946	-1,468	0%
Materials and services	65,689	444,343	427,543	16,800	4%
Depreciation and amortisation	34,569	134,960	142,833	-7,874	-6%
Finance Costs	17,849	75,879	63,140	12,739	20%
<b>Total operating costs</b>	<b>253,171</b>	<b>1,282,661</b>	<b>1,262,463</b>	<b>20,198</b>	<b>2%</b>
<b>Surplus (deficit) from operating activities</b>	<b>-121,067</b>	<b>26,822,700</b>	<b>26,975,473</b>	<b>-152,773</b>	<b>-1%</b>
 Other capital income (expense)	 0	 -6,277	 0	 -6,277	 -
<b>Net result for period</b>	<b>-121,067</b>	<b>26,816,423</b>	<b>26,975,473</b>	<b>-159,050</b>	<b>-1%</b>

**Comments**

**Interest Received**

Under budget due to lower interest rates available for investments.

**Operational grants and subsidies**

Budgeted Skilling Queensland grant funding not yet received.

**Finance Costs**

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

**Other capital income (expense)**

Write off of office equipment following capitalisation of projects.

**OPERATING STATEMENT**  
**Period Ending 31 October 2019**

**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
<b>Operating Revenue</b>					
User fees and charges	15,927	52,220	53,267	-1,047	-2%
Operational contributions and donations	3,095	14,436	21,000	-6,564	-31%
Operational grants and subsidies	0	244,236	397,104	-152,868	-38%
Contract and recoverable works	29	3,071	0	3,071	-
Other operating revenue	1,271	3,002	1,750	1,252	72%
<b>Total operating revenue</b>	<b>20,322</b>	<b>316,966</b>	<b>473,121</b>	<b>-156,155</b>	<b>-33%</b>
<b>Operating Expenses</b>					
Employee benefits	327,796	1,573,082	1,671,150	-98,068	-6%
Materials and services	344,869	1,632,995	1,490,146	142,849	10%
Depreciation and amortisation	60,052	237,005	258,000	-20,995	-8%
<b>Total operating costs</b>	<b>732,717</b>	<b>3,443,081</b>	<b>3,419,296</b>	<b>23,786</b>	<b>1%</b>
<b>Surplus (deficit) from operating activities</b>	<b>-712,395</b>	<b>-3,126,116</b>	<b>-2,946,175</b>	<b>-179,941</b>	<b>6%</b>
Capital grants and subsidies	0	0	490,973	-490,973	-100%
Other capital income (expense)	-349	-10,051	0	-10,051	-
<b>Net result for period</b>	<b>-712,743</b>	<b>-3,136,167</b>	<b>-2,455,202</b>	<b>-680,965</b>	<b>28%</b>

**Comments**

**Operational contributions and donations**

Income this period is from camping donations at Funny Dunny Park and developer infrastructure charges related to subdivisional activities. Variance to budget is due to contributions towards septic pump outs at Groper Creek not invoiced until November, these were budgeted to be received earlier.

**Operational grants and subsidies**

Annual budget includes funds to be received from Queensland Reconstruction Authority for activities related to the January/February 2019 monsoonal event. This budget has been split equally over the 12 months. Funding to be received as work is complete and submissions are approved.

**Contract and recoverable works**

Revenue received in the period is for hire of a weed spray unit. It was not anticipated that any transactions in this area would occur before December, therefore this area is over budget due to revenue received for private works including: repairs to damaged water meters, a damaged sewer main and hire of a weed spray unit.

**Other operating revenue**

Unbudgeted insurance recovery received from property stolen from Council Depot. This is slightly offset by scrap metal sales being below budget.

**Employee benefits**

Roads maintenance is currently over budget due to pavement repair activities on Keith Venables and Brown Roads associated with the January/February monsoonal flooding event. A 'Restoration of Essential Public Assets' claim has been lodged with the Queensland Reconstruction Authority for recovery. Under budget for drainage maintenance due to dry conditions at this time of year and under budget in the works section as no Tudehope's gravel production so far this year.

**Materials and services**

Roads maintenance is currently over budget due to pavement repair activities on Keith Venables and Brown Roads associated with the January/February monsoonal flooding event. A claim for reimbursement has been lodged with the Queensland Reconstruction Authority under 'Restoration of Essential Public Asset' provisions. When claim is approved expenses will be transferred to NDRRA and budget variance will reduce.

**Capital grants and subsidies**

Grants are received at various milestones throughout the project. Annual budget is for: Recoverable Works for Queensland Reconstruction Authority activities, Works for Queensland 2019-21 Refurbish Groper Creek Public Amenities, Exercise equipment Home Hill, Coutts Park Playground Equipment, BBQ and Shelter Lloyd Mann Park and Park Furniture Replacement program.

**Other capital income (expense)**

Expense in the period reflects the write off of a bus shelter at the Maidavale School.

**OPERATING STATEMENT**  
**Period Ending 31 October 2019**

**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
<b>Operating Revenue</b>					
Rates and Utility Charges	-1,186	3,073,085	3,080,720	-7,635	0%
Pensioner remissions	0	22	0	22	-
User fees and charges	13,006	40,761	35,700	5,061	14%
Interest Received	19,157	80,270	89,267	-8,996	-10%
Operational contributions and donations	0	2,000	2,000	0	0%
Other operating revenue	0	36,252	37,290	-1,038	-3%
<b>Total operating revenue</b>	<b>30,977</b>	<b>3,232,390</b>	<b>3,244,977</b>	<b>-12,587</b>	<b>0%</b>
<b>Operating Expenses</b>					
Employee benefits	85,234	327,467	377,177	-49,710	-13%
Materials and services	402,855	758,599	756,050	2,549	0%
Depreciation and amortisation	53,737	212,894	213,233	-339	0%
<b>Total operating costs</b>	<b>541,826</b>	<b>1,298,960</b>	<b>1,346,461</b>	<b>-47,501</b>	<b>-4%</b>
<b>Surplus (deficit) from operating activities</b>	<b>-510,848</b>	<b>1,933,430</b>	<b>1,898,516</b>	<b>34,914</b>	<b>2%</b>
Capital grants and subsidies	0	598,320	1,459,899	-861,579	-59%
Other capital income (expense)	0	-2,060	0	-2,060	-
<b>Net result for period</b>	<b>-510,848</b>	<b>2,529,690</b>	<b>3,358,415</b>	<b>-828,725</b>	<b>-25%</b>

**Comments**

**User fees and charges**

Revenue received in the period includes \$9,839 rental income from Telco leases at the Ayr Water Tower, installation of a new fire hydrant servicing a rental property and payment of bulk water charges. Over year to date budget for increased Property Connections received, mostly due to the installation of a new fire hydrant service.

**Interest Received**

Under budget due to lower interest rates available for investments.

**Employee benefits**

Water is under budget due to resource sharing to accommodate the unfilled vacancies following retirements and resignations in the water waste water department and Water and Waste Water Network Coordinator recruitment efforts have been unsuccessful to date.

**Capital grants and subsidies**

Revenue received year to date represents the first milestone payment of 30% from the State Government Local Government Grants and Subsidies Program Funding for the Home Hill Water Reservoir.



**OPERATING STATEMENT**  
**Period Ending 31 October 2019**

**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
<b>Operating Revenue</b>					
Rates and Utility Charges	0	4,036,380	4,036,380	0	0%
Pensioner remissions	0	26	0	26	-
User fees and charges	860	860	200	660	330%
Interest Received	24,177	105,371	117,067	-11,696	-10%
Operational contributions and donations	0	2,000	2,000	0	0%
Other operating revenue	0	0	200	-200	-100%
<b>Total operating revenue</b>	<b>25,037</b>	<b>4,144,638</b>	<b>4,155,847</b>	<b>-11,209</b>	<b>0%</b>
<b>Operating Expenses</b>					
Employee benefits	84,622	395,538	476,506	-80,968	-17%
Materials and services	104,982	337,380	442,850	-105,470	-24%
Depreciation and amortisation	110,825	439,616	438,967	650	0%
<b>Total operating costs</b>	<b>300,429</b>	<b>1,172,535</b>	<b>1,358,322</b>	<b>-185,788</b>	<b>-14%</b>
<b>Surplus (deficit) from operating activities</b>	<b>-275,392</b>	<b>2,972,103</b>	<b>2,797,524</b>	<b>174,579</b>	<b>6%</b>
 Capital grants and subsidies	 0	 98,909	 124,000	 -25,091	 -20%
<b>Net result for period</b>	<b>-275,392</b>	<b>3,071,012</b>	<b>2,921,524</b>	<b>149,488</b>	<b>5%</b>

**Comments**

**Interest Received**

Under budget due to lower interest rates available for investments.

**Employee benefits**

Under year to date budget due to unfilled vacancies following retirements and resignations in the Water and Waste Water department. Water and Waste Water Network Coordinator recruitment efforts have been unsuccessful to date.

**Materials and services**

Extended periods of dry weather have resulted in minimal use of chemicals and electricity in pumping and treatment operations.

**Capital grants and subsidies**

Year to date income \$98,909 received for the detailed design of the Macro Algal Treatment Facility at the Ayr/Brandon Waste Water Treatment Plant. Further income will be received as this project progresses.

**OPERATING STATEMENT**  
**Period Ending 31 October 2019**

**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
<b>Operating Revenue</b>					
User fees and charges	60,251	173,265	116,667	56,599	49%
Operational grants and subsidies	0	0	278,196	-278,196	-100%
Other operating revenue	0	18	0	18	-
<b>Total operating revenue</b>	<b>60,251</b>	<b>173,284</b>	<b>394,863</b>	<b>-221,579</b>	<b>-56%</b>
<b>Operating Expenses</b>					
Employee benefits	81,512	338,634	375,617	-36,983	-10%
Materials and services	18,279	105,266	363,200	-257,935	-71%
<b>Total operating costs</b>	<b>99,792</b>	<b>443,900</b>	<b>738,817</b>	<b>-294,918</b>	<b>-40%</b>
<b>Surplus (deficit) from operating activities</b>	<b>-39,541</b>	<b>-270,616</b>	<b>-343,955</b>	<b>73,339</b>	<b>-21%</b>
<b>Net result for period</b>	<b>-39,541</b>	<b>-270,616</b>	<b>-343,955</b>	<b>73,339</b>	<b>-21%</b>

**Comments**

**User fees and charges**

Building and Plumbing application fees remain at higher than anticipated amounts. Part of the income is due to above average re-roof applications being receipted as a result of the State Government's Housing Resilience Program funding. Income will be adjusted as part of the second revised budget process if needed.

**Operational grants and subsidies**

Due to unforeseen delays with delivery of QCoast 2100 Coastal Hazard Adaption Strategy phases, grant funds have not been received to date.

**Employee benefits**

Wages continue to be under budget due to leave taken by staff. Annual leave taken by staff has returned to normal levels. The wages budget will be adjusted in the second revision if necessary.

**Materials and services**

Currently under budget due to minimal payments made for the QCoast 2100 Coastal Hazard Adaption Strategy (CHAS). CHAS was budgeted to be spent in the first half of the financial year. Payments are made as work is completed. More frequent payments are scheduled to start occurring in November.

**OPERATING STATEMENT**  
**Period Ending 31 October 2019**

**Manager Technical Services**

	Month of October Actual	Year to Date Actual	Year to Date Original Budget	\$ Variance YTD Actual to YTD Original Budget	% Variance YTD Actual to YTD Original Budget
<b>Operating Revenue</b>					
User fees and charges	14,823	143,836	79,400	64,436	81%
Operational grants and subsidies	12,822	44,200	46,667	-2,466	-5%
Contract and recoverable works	128,761	223,213	1,129,200	-905,987	-80%
Other operating revenue	0	3,783	0	3,783	-
<b>Total operating revenue</b>	<b>156,406</b>	<b>415,031</b>	<b>1,255,267</b>	<b>-840,235</b>	<b>-67%</b>
<b>Operating Expenses</b>					
Employee benefits	221,711	820,105	1,047,733	-227,628	-22%
Materials and services	59,234	-186,620	389,333	-575,953	-148%
Depreciation and amortisation	591,007	2,342,772	2,367,067	-24,295	-1%
<b>Total operating costs</b>	<b>871,952</b>	<b>2,976,257</b>	<b>3,804,133</b>	<b>-827,876</b>	<b>-22%</b>
<b>Surplus (deficit) from operating activities</b>	<b>-715,546</b>	<b>-2,561,226</b>	<b>-2,548,866</b>	<b>-12,359</b>	<b>0%</b>
Capital grants and subsidies	85,702	271,399	2,846,158	-2,574,759	-90%
Other capital income (expense)	-4,580	-387,338	0	-387,338	-
<b>Net result for period</b>	<b>-634,424</b>	<b>-2,677,165</b>	<b>297,292</b>	<b>-2,974,456</b>	<b>-1001%</b>

**Comments**

**User fees and charges**

Annual trade waste permit charges invoiced in July. High income from septic pumpouts in July and August from service providers outside shire, therefore this area is over budget.

**Operational grants and subsidies**

Fuel usage higher than revised budget estimate.

**Contract and recoverable works**

Under budget due to timing of payments for RMPC works and delays in approvals for BSRIT works.

**Other operating revenue**

Unbudgeted receipt of proceeds from sale of small plant items.

**Employee benefits**

Under budget due to timing of BSRIT recoverable works and delayed commencement of new employee in Technical Services.

**Materials and services**

Under budget due to timing of Road Maintenance Performance Contract works and delays in approvals for BSRIT recoverable works.

**Capital grants and subsidies**

Grant funding received include payments from the Transport Infrastructure Development Scheme and an unbudgeted grant for purchase of emergency generator. Budgeted grant funds to be received are: Works for Queensland 2019-21, Transport Infrastructure Development Scheme, Roads to Recovery and Cycle Network Local Government Grant. These will be received as work is completed.

**Other capital income (expense)**

Unbudgeted asset write offs associated with asset capitalisations.

**BURDEKIN SHIRE COUNCIL**  
**OPERATING STATEMENT**  
**Period Ending 31 October 2019**

	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
<b>Operating Revenue</b>						
Rates and Utility Charges	-826	39,025,096	40,326,015	39,026,015	-919	0%
Pensioner remissions	0	-323,631	-323,100	-323,100	-531	0%
User fees and charges	223,759	1,019,937	2,520,619	1,022,439	-2,502	0%
Interest Received	145,781	468,099	1,517,300	514,953	-46,855	-9%
Operational contributions and donations	18,880	56,113	193,987	62,067	-5,954	-10%
Operational grants and subsidies	15,322	754,690	3,548,870	1,318,779	-564,089	-43%
Contract and recoverable works	128,791	226,283	2,864,800	1,158,812	-932,528	-80%
Other operating revenue	47,245	180,840	488,880	229,915	-49,074	-21%
<b>Total operating revenue</b>	<b>578,950</b>	<b>41,407,427</b>	<b>51,137,371</b>	<b>43,009,880</b>	<b>-1,602,452</b>	<b>-4%</b>
<b>Operating Expenses</b>						
Employee benefits	1,531,650	6,415,329	21,714,714	7,383,930	-968,601	-13%
Materials and services	1,610,087	5,954,061	18,907,571	7,507,105	-1,553,043	-21%
Depreciation and amortisation	1,013,514	3,992,043	12,104,000	4,034,667	-42,624	-1%
Finance Costs	17,849	75,879	148,100	63,140	12,739	20%
	0	0	0	0	0	-
<b>Total operating costs</b>	<b>4,173,100</b>	<b>16,437,312</b>	<b>52,874,385</b>	<b>18,988,841</b>	<b>-2,551,530</b>	<b>-13%</b>
<b>Surplus (deficit) from operating activities</b>	<b>-3,594,150</b>	<b>24,970,115</b>	<b>-1,737,014</b>	<b>24,021,038</b>	<b>949,077</b>	<b>4%</b>
Capital grants and subsidies	85,702	1,077,093	5,084,790	4,613,871	-3,536,778	-77%
Other capital income (expense)	-91,758	-515,448	0	0	-515,448	-
<b>Net result for period</b>	<b>-3,600,206</b>	<b>25,531,761</b>	<b>3,347,776</b>	<b>28,634,909</b>	<b>-3,103,148</b>	<b>-11%</b>

**BURDEKIN SHIRE COUNCIL**  
**STATEMENT OF FINANCIAL POSITION**  
**As at 31 October 2019**

	Year to Date Actual \$	Annual Budget \$
<b>Current Assets</b>		
Cash and Cash Equivalents	80,095,546	53,015,679
Receivables	3,782,268	3,835,334
Inventories	600,707	533,911
<b>Total Current Assets</b>	<u>84,478,522</u>	<u>57,384,924</u>
<b>Non-Current Assets</b>		
Receivables	495,484	375,969
Property, Plant and Equipment	530,027,562	537,902,155
Intangibles Assets	201,945	423,986
<b>Total Non-Current Assets</b>	<u>530,724,990</u>	<u>538,702,110</u>
<b>TOTAL ASSETS</b>	<u>615,203,512</u>	<u>596,087,034</u>
<b>Current Liabilities</b>		
Payables	3,511,319	6,216,913
Borrowings	1,333,896	349,352
Provisions	2,969,457	2,969,457
Other	685,846	1,735
<b>Total Current Liabilities</b>	<u>8,500,519</u>	<u>9,537,457</u>
<b>Non-Current Liabilities</b>		
Borrowings	20,262	0
Provisions	18,615,015	18,615,015
<b>Total Non-Current Liabilities</b>	<u>18,635,277</u>	<u>18,615,015</u>
<b>TOTAL LIABILITIES</b>	<u>27,135,796</u>	<u>28,152,472</u>
<b>NET COMMUNITY ASSETS</b>	<u><b>588,067,716</b></u>	<u><b>567,934,562</b></u>
<b>Community Equity</b>		
Asset Revaluation Surplus	312,775,134	312,677,878
Retained Surplus (deficiency)	275,292,583	255,256,684
<b>TOTAL COMMUNITY EQUITY</b>	<u><b>588,067,716</b></u>	<u><b>567,934,562</b></u>

**BURDEKIN SHIRE COUNCIL**  
**STATEMENT OF CASH FLOWS**  
For Period Ending 31 October 2019

	Year to Date Actual \$	Annual Cashflow Budget \$
<b>Cash Flows from Operating Activities</b>		
<b>Receipts</b>		
Receipts from Customers	39,359,961	45,877,214
Operating Grants, Subsidies and Contributions	810,803	3,742,857
Interest Received	583,316	1,517,300
<b>Payments</b>		
Payments to Suppliers and Employees	-16,387,605	-40,664,576
Interest Expense	-25,522	-72,100
<b>Net Cash Inflow (Outflow) from Operating Activities</b>	<u>24,340,952</u>	<u>10,400,695</u>
<b>Cash Flows from Investing Activities</b>		
State Government Subsidies and Grants	1,077,093	4,635,455
Payments for Property, Plant and Equipment	-6,747,385	-22,424,635
Payments for Intangible Assets	0	-276,000
Proceeds from Sale of Property, Plant and Equipment	54,899	315,000
Net Movement in Loans to Community Organisations	-33,690	-33,709
<b>Net Cash Inflows (Outflow) from Investing activities</b>	<u>-5,649,083</u>	<u>-17,783,889</u>
<b>Cash Flows from Financing Activities</b>		
Repayment of Borrowings	-324,931	-1,329,735
<b>Net Cash Inflows (Outflow) from Financing activities</b>	<u>-324,931</u>	<u>-1,329,735</u>
<b>Net Increase (Decrease) in Cash and Cash Equivalents Held</b>	<u>18,366,937</u>	<u>-8,712,929</u>
Cash and Cash Equivalents at Beginning of the Financial Year	61,728,608	61,728,608
<b>Cash and Cash Equivalents at end of the Period</b>	<u>80,095,545</u>	<u>53,015,679</u>

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## 5 GOVERNANCE

### 5.1 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:** Mrs. Rebecca Stockdale – Senior Governance Officer

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#### Executive Summary

Council's Investigation of Inappropriate Councillor Conduct Policy ensures that Council complies with requirements of the *Local Government Act 2009* when dealing with complaints referred by the Independent Assessor. The policy applies to investigations and determinations of a complaint about the alleged inappropriate conduct of a Councillor/s (including the Mayor) which has been referred by the Independent Assessor.

#### Recommendation

That Council adopts the Investigation of Inappropriate Councillor Conduct Policy as attached to this report and that the review period is extended to 24 months.

#### Background Information

In May 2018 the *Local Government (Councillor Complaints) and Other Legislation Amendment Act 2018* was passed. The legislation set 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. Council adopted the model suite of documents in November 2018 and the Policy was set with a 12 month review date.

#### Link to Corporate/Operational Plan

##### 5.3.1 Demonstrate open and transparent leadership

#### Consultation

The Policy was discussed at a Council workshop on 19 November 2019

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## **Legal Authority or Implications**

*Local Government Act 2009*

## **Policy Implications**

The policy will be updated on Council's website and a new review date will be included in the policy register.

## **Financial and Resource Implications**

The Investigation of Inappropriate Councillor Conduct Policy makes provision for the Mayor to engage an external investigator if necessary, which may have a financial impact. The policy also makes provision for Council to order the Councillor who is the subject of a complaint of inappropriate conduct to reimburse Council for all or some of the costs arising from the inappropriate conduct.

## **Report Prepared By:**

Mrs. Rebecca Stockdale - Senior Governance Officer

## **Report Authorised By:**

Mr. Nick O'Connor - Director of Corporate and Community Services

## **Attachments**

- 1.1. Investigation of Inappropriate Councillor Conduct Policy



Policy Type	Statutory
Function	Governance
Policy Owner	Chief Executive Officer
Policy Contact	Director Corporate and Community Services
Review Schedule	24 months
Resolution No.	

## 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

Effective Date: Enter Resolution  
Number

**PUBLIC**

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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.

## 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.

## 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
1.0	Adopted	Ordinary Council Meeting	1499251	27/11/2018
1.1	Reviewed- no changes	N/A	N/A	19/11/2019

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## **6 ENVIRONMENTAL AND HEALTH SERVICES**

## **7 CLIENT SERVICES**

## **8 FINANCIAL & ADMINISTRATIVE SERVICES**

## **9 OPERATIONS**

### **9.1 TBSC/17/022 - Register of Pre-Qualified Suppliers - Supply of Bore and Pump Services - 12 Months Extension**

#### **Document Information**

**Referring Letter No:** N/A

**File No:** 805, 807, 808.

**Name of Applicant:** N/A

**Location:** N/A

**Author and Title:** Mr. Gary Keane – Manager Contracts

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#### **Executive Summary**

Council adopted a recommendation to accept tenders to establish a panel of Pre-Qualified Suppliers for Bore and Pump Maintenance Services at its meeting of the 27 November, 2017. The panel arrangement was to remain in effect for a period of two years from the date of Council's resolution.

The Conditions of Tendering Clause 4 – Term, Council reserves the right to extend the contract for a period of 24 months at the end of the original two-year Contract period. The extension is at the sole discretion of the Principal.

#### **Recommendation**

That Council extends the current TBSC/17/022 – Register of Pre-Qualified Suppliers – Supply of Bore and Pump Services for a period of 12 months.

#### **Background Information**

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

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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
- (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.

Establishment of a register of pre-qualified suppliers is in line with outcomes stated within Council's Procurement Policy 2019/2020.

### **Link to Corporate/Operational Plan**

- 1 Infrastructure
  - 1.4 Securing and managing water resources
    - 1.4.1 Enhance water security
    - 1.4.3 Improve water quality
- 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.

### **Consultation**

Council Workshop on 5 November 2019.

### **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 2019/2020.

### **Policy Implications**

The establishment of a Register of Pre-qualified Suppliers is in line with outcomes stated within the Burdekin Shire Council Procurement Policy 2019/2020 as follows:

### **Clause 3 Objectives states:**



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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.

**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

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(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**

Council's expenditure on Bore and Pump maintenance services is variable year to year. Expenditure of these services is budgeted in both capital and operational budgets depending on the nature of works performed.

### **Report Prepared By:**

Mr. Gary Keane – Manager Contracts

### **Report Authorised By:**

Mr. Wayne Saldumbide – Manager Operations

### **Attachments**

1. N/A

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**10 TECHNICAL SERVICES**

**11 PLANNING & DEVELOPMENT**

**12 COMMUNITY DEVELOPMENT**

**13 ECONOMIC DEVELOPMENT**

**14 NOTICES OF MOTION**

**15 CORRESPONDENCE FOR INFORMATION**

**16 GENERAL BUSINESS**

**17 CLOSED MEETING ITEMS**

**18 DELEGATIONS**

