



Burdekin Shire Council

MINUTES

ORDINARY COUNCIL MEETING

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

on 14 July 2020

COMMENCING AT 9:00AM



Burdekin Shire Council

TUESDAY 14 JULY 2020

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ATTENDANCE

Councillors L.A. McLaughlin (Mayor), S.P. Perry (Deputy Mayor), K.D. Boccalatte, J.T. Bonanno, M.J. Detenon, J.A.G. Furnell and M. Musumeci

Mr. N. O'Connor – Director Corporate and Community Services

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

Mr. K. Byers - Manager Technical Services (Part)

Minutes Clerk – Ms. G. Biffanti

Apologies: Mr. T. Brennan - Chief Executive Officer

1 PRAYER

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

2 DECLARATIONS OF INTEREST

The Mayor called for declarations of interest.

No declarations of interest were identified.

3 MINUTES AND BUSINESS ARISING

3.1 Ordinary Council Meeting - 23 June 2020

Recommendation

That the minutes of the Ordinary Council Meeting held on 23 June 2020 be received as a true and correct record.

Resolution

Moved Councillor Furnell, seconded Councillor Detenon that the recommendation be adopted.

CARRIED

3.2 2020/21 Budget Meeting - 23 June 2020

Recommendation

That the minutes of the 2020/21 Budget Meeting held on 23 June 2020 be received as a true and correct record.

Resolution

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

CARRIED

3.3 Audit Committee Meeting - 17 June 2020**Recommendation**

That the minutes of the Audit Committee Meeting held on 17 June 2020 be received and adopted.

Resolution

Moved Councillor Furnell, seconded Councillor Detenon that the recommendation be adopted.

CARRIED

3.4 Burdekin Shire Road Safety Advisory Committee Meeting - 17 June 2020**Recommendation**

That the minutes of the Burdekin Shire Road Safety Advisory Committee Meeting held on 17 June 2020 be received and adopted.

Noting the following amendment:

Item 6.7 - Core Members voted on motion to adopt the minutes of the Burdekin Road Safety Advisory Committee Meeting held on Thursday 27 February 2020.

Resolution

Moved Councillor Musumeci, seconded Councillor Boccalatte that the recommendation be adopted.

CARRIED

4 EXECUTIVE**4.1 CEO**

9.26am Mr. Byers entered the meeting.

4.1.1 Electoral and other Legislation (Accountability, Integrity and Other Matters) Amendment Act 2020

Executive Summary

The Department of Local Government, Racing and Multicultural Affairs (DLGRMA) has forwarded information relating to the *Electoral and Other Legislation (Accountability, Integrity and Other Matters) Amendment Act 2020*. The Amendment Act includes a number of amendments to the *Local Government Act 2009*, with the majority of the reforms coming into effect on 12 October 2020 by proclamation.

Recommendation

That the Chief Executive Officer's report be received and noted and Council await details of the training to be provided by the Department of Local Government, Racing and Multicultural Affairs on the amendments to the *Local Government Act 2009*.

Resolution

Moved Councillor Musumeci, seconded Councillor Detenon that the recommendation be adopted.

CARRIED

4.1.2 Matter Arising - Electoral and Other Legislation (Accountability, Integrity and Other Matters) Amendment Act 2020

Resolution

Moved Councillor Perry, seconded Councillor Detenon that Burdekin Shire Council wishes to express its concern that the newly introduced legislation continues to reduce the ability of the elected members to carry out their role as expected by the voting public.

CARRIED

4.2 ECONOMIC DEVELOPMENT

5 CORPORATE AND COMMUNITY SERVICES

5.1 CLIENT SERVICES

5.2 COMMUNITY DEVELOPMENT

5.3 FINANCIAL AND ADMINISTRATIVE SERVICES

5.4 GOVERNANCE

5.4.1 Audit Committee - Tenure of Independent Community Member

Executive Summary

Council has the discretion to appoint individuals as independent members to the Audit Committee. The current Audit Committee Charter allows for a “rolling replacement” model to ensure continuity of knowledge, whereby not all positions become vacant at the same time. The Independent Community Member Position is due to become vacant in November 2020.

Council has the discretion to extend the current incumbent’s tenure for a further four-year term or declare the position vacant and follow a recruitment process as per the Charter. The incumbent has attended all meetings held during the term, has contributed appropriately, and has indicated a willingness to serve for another four-year term.

In accordance with the current charter, the number of consecutive terms an independent external member can serve is two (2) terms.

Recommendation

That Council re-appoints Mr. Jim Nuttall to Council’s Audit Committee as the Independent Community Member, for an additional four-year term, effective from 1 November 2020.

Resolution

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

CARRIED

5.4.2 Trustee Lease - Jerona Citizens Association Incorporated

Executive Summary

Council approval is requested to consent to the Surrender of the following Trustee Lease:

Lessor:	Burdekin Shire Council
Lessee:	Jerona Citizens Association Incorporated
Interest:	Reserve
Leased Premises:	Part of Lot 68 on Crown Plan GS851
Location:	Jerona Road, Jerona
Commencement:	1 December 2005
Expiry:	1 December 2025 (Nil Option)

Further, Council approval is requested to consent to entering into the following Trustee Lease:

Lessor:	Burdekin Shire Council
Lessee:	Jerona Citizens Association Incorporated
Interest:	Reserve
Leased Premises:	Lot 70 on Survey Plan 317980
Location:	Jerona Road, Jerona
Commencement:	30 June 2020
Expiry:	1 December 2025 (Nil Option)

Recommendation

That Council:

1. Endorse the actions undertaken by staff to apply for Ministerial Consent for the proposed new Trustee Lease;
2. Agree to the surrender of the whole of Trustee Lease No. 709615087 over the land described as Lot 68 on Crown Plan GS851; and
3. Agree to enter into a Trustee Lease with Jerona Citizens Association Incorporated commencing 30 June 2020 and expiring 1 December 2025 over the land described as Lot 70 on Survey Plan 317980 subject to, but not limited to, the standard terms and conditions set by Council and the Department of Natural Resources, Mines and Energy.

Resolution

Moved Councillor Musumeci, seconded Councillor Detenon that the recommendation be adopted.

CARRIED

6 INFRASTRUCTURE, PLANNING AND ENVIRONMENTAL SERVICES

6.1 ENVIRONMENTAL AND HEALTH SERVICES

6.2 OPERATIONS

6.3 PLANNING AND DEVELOPMENT

6.4 TECHNICAL SERVICES

6.4.1 Water and Sewerage Service Areas

Executive Summary

The *Water Supply (Safety and Reliability) Act 2008* requires Burdekin Shire Council to declare water and sewerage service areas defining areas within the Burdekin Shire that Council provides relevant services.

Recommendation

Council declares the relevant area defined by the maps WSA 01 – WSA 10 as the service area for the Provision of Reticulated Potable Water Services and SSA 01 – SSA 03 as the service area for the provision of sewerage services.

Resolution

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

CARRIED

9.51am Mr. Byers left the meeting.

7 NOTICE OF MOTION

8 RECEIPT OF PETITIONS

9 CORRESPONDENCE FOR INFORMATION

10 GENERAL BUSINESS

10.1 Proposed Winding Up - Northern Alliance of Councils Incorporated

Background Information

The Northern Alliance of Councils (NAOC) was established in 2017 to replace the North Queensland Local Government Association (NQLGA) and become an incorporated body. The NAOC meets on an annual basis and the management committee is empowered to deal with issues between meetings.

The NQLGA was recognised in the rules of the Local Government Association of Queensland (LGAQ) and was therefore able to sponsor motions on behalf of member's councils for the LGAQ annual

conference. The NAOC is not recognised under the LGAQ rules and therefore it cannot directly submit conference resolutions on behalf of member's councils, only support them.

The majority, if not all the members of NAOC, would now be a member of a Regional Organisation of Councils (ROC) grouping. The ROCs would meet on a much more regular basis to discuss issues and advocate on behalf of their members.

The purpose of the NAOC has largely been diminished by the enhanced role of regional organisations of councils and it is therefore proposed to submit a resolution for the members to consider winding up the NAOC.

Recommendation

That the following motion be submitted for consideration at the Northern Alliance of Councils Incorporated Annual General Meeting on 12 August 2020:

That the Northern Alliance of Councils Incorporated be voluntarily wound up and any surplus assets be distributed in accordance with its Constitution.

Resolution

Moved Councillor Furnell, seconded Councillor Detenon that the recommendation be adopted.

CARRIED

11 CLOSED BUSINESS ITEMS

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

Resolution

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

- 275(1)(a) the appointment, dismissal or discipline of employees.
- 275(1)(e) contacts proposed to be made by it

For the purpose of discussing:

1. Renewal of Chief Executive Officer Contract of Employment
2. Security Services (Mobile Patrols) to Council Properties - 1 July 2020 to 30 June 2021

CARRIED

Council Meeting opened to Public

Resolution

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

CARRIED

11.1 Confidential Report - Renewal of Chief Executive Officer Contract of Employment

Executive Summary

The Chief Executive Officer, Mr Terry Brennan, is employed under a contract of employment and it will expire on 12 December 2020. The contract provides for discussions to be entered into within a set time frame for a new contract to be entered into for a further term.

These discussions have been finalised and it is proposed to offer Mr.Brennan a new contract for a further four (4) year term.

Recommendation

That Council offer the Chief Executive Officer, Mr Terry Brennan, a new contract of employment for a four (4) year term, commencing on 12 December 2020 and concluding on 11 December 2024.

Resolution

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

CARRIED

11.2 Confidential Report - Security Services (Mobile Patrols) to Council Properties - 1 July 2020 to 30 June 2021

Executive Summary

Chapter 6 Part 3 Division 2 Section 224(2) of the *Local Government Regulation Queensland 2012* requires Council to invite written quotations for medium-sized contractual arrangement with a supplier that is expected to be worth, exclusive of GST, \$15,000 or more but less than \$200,000 in a financial year. The Provision of Security Services (Mobile Patrols) to Council Properties is expected to fall within this category.

QBSC/20/024 –The top three (3) tenders were sent an addendum on 24 June 2020 to resubmit the pricing schedule based on a twelve-month contract. These submissions were received on 25 June 2020.

Recommendation

That Council accepts the written quotation submitted by SRW Security Services Pty Ltd for the amount of \$148,036.32 (ex GST)

Resolution

Moved Councillor Detenon, seconded Councillor Musumeci that the recommendation be adopted.

CARRIED

10.26am Meeting adjourned for morning tea.

10.50am Meeting resumed.

12 DELEGATIONS

There being no further business the meeting closed at 11.00am.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 28 July 2020.

MAYOR
