



Burdekin Shire Council

MINUTES

ORDINARY COUNCIL MEETING

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

on 23 February 2021

COMMENCING AT 9:00AM



Burdekin Shire Council

TUESDAY 23 FEBRUARY 2021

ORDER OF BUSINESS:

ITEM	PRECIS	PAGE
1	PRAYER	1
2	DECLARATIONS OF INTEREST	1
3	MINUTES AND BUSINESS ARISING	1
3.1	Ordinary Council Meeting Minutes - 9 February 2021	1
3.2	Local Disaster Management Group Meeting Minutes - 22 January 2021	2
3.3	Burdekin Economic Development Advisory Group Meeting Minutes - 4 February 2021	2
4	EXECUTIVE	2
4.1	CEO	2
4.1.1	Council Workshop - January 2021	2
4.1.2	Media Policy	3
4.1.3	Social Media Policy	3
4.2	ECONOMIC DEVELOPMENT	4
5	CORPORATE AND COMMUNITY SERVICES	4
5.1	CLIENT SERVICES	4
5.2	COMMUNITY DEVELOPMENT	4
5.3	FINANCIAL AND ADMINISTRATIVE SERVICES	4
5.3.1	Monthly Financial Report for Period Ending 31 January 2021	4
5.4	GOVERNANCE	4
5.4.1	Audit Committee - Tenure of Independent Professional Member	4
5.4.2	Expansion of Ayr Industrial Estate	5
5.4.3	Optus Mobile Pty Limited to Australia Tower Network Pty Limited - Assignment of Trustee Lease	6



Burdekin Shire Council

6	INFRASTRUCTURE, PLANNING AND ENVIRONMENTAL SERVICES	6
6.1	ENVIRONMENTAL AND HEALTH SERVICES	6
6.1.1	Community and Environmental Management (Amendment) Local Law (No. 1) 2021 and Community and Environmental Management (Amendment) Subordinate Local Law (No.1) 2021	6
6.2	OPERATIONS	7
6.3	PLANNING AND DEVELOPMENT	7
6.4	TECHNICAL SERVICES	7
6.4.1	Quotations Received for QBSC/021/003 - Watson's Green, Home Hill - Warrior Course	7
7	NOTICE OF MOTION	8
8	RECEIPT OF PETITIONS	8
9	CORRESPONDENCE FOR INFORMATION	9
9.1	Letter of Support - Home Hill Boat Club	9
10	GENERAL BUSINESS	9
11	CLOSED BUSINESS ITEMS	9
12	DELEGATIONS	9

ATTENDANCE

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

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. W. Saldumbide - Manager Operations (Part)

Minutes Clerk – Miss. M. Price-Wilson.

Apologies: Councillor L.A. McLaughlin (Mayor) – Attending Townsville Enterprise Limited (TEL) Delegation in Canberra as Council's endorsed representative.

1 PRAYER

The meeting prayer was delivered by Pastor Peter Holmes of the Australian Christian Church.

2 DECLARATIONS OF INTEREST

The Deputy Mayor called for declarations of interest.

No declarations of interest were identified.

3 MINUTES AND BUSINESS ARISING

3.1 Ordinary Council Meeting Minutes - 9 February 2021

Recommendation

That the minutes of the Ordinary Council Meeting held on 9 February 2021 be received as a true and correct record.

Resolution

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

CARRIED

3.2 Local Disaster Management Group Meeting Minutes - 22 January 2021

Recommendation

That the minutes of the Local Disaster Management Group Meeting held on 22 January 2021 be received as a true and correct record.

Resolution

Moved Councillor Musumeci, seconded Councillor Boccalatte that the recommendation be adopted noting the correction in Item 10 – Alwyn Land be amended to Alwyn Lane.

CARRIED

3.3 Burdekin Economic Development Advisory Group Meeting Minutes - 4 February 2021

Summary of recommendations and actions for consideration and adoption:

Item 1 – New Member

Council accepts the nomination from Ian Macdonald to join the Economic Development Advisory Group.

Item 2 – Development Application Process

Council reviews the current development application process to see if there are any opportunities to improve the time frames for processing of applications.

Recommendation

That:

1. the minutes of the Economic Development Advisory Group Meeting held on 4 February 2021 be noted, and;
2. the recommendations as detailed in the minutes and summarised in Items 1 and 2 above be adopted.

Resolution

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

CARRIED

4 EXECUTIVE

4.1 CEO

4.1.1 Council Workshop - January 2021

Executive Summary

The Council conducted a single Workshop which was held on 27 January 2021, with a range of policy and operational issues discussed by Councillors and staff.

Recommendation

That the report on the Council Workshop held on 27 January 2021 be received and noted.

Resolution

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

CARRIED

4.1.2 Media Policy**Executive Summary**

The revised Media Policy will amend the current policy, adopted at the Ordinary Council Meeting on 26 March 2019.

The primary amendments to the policy are the addition of the Risk Management clause in line with Council's revised policy template and recognition of the Chief Executive Officer as the primary spokesperson to the media on administrative or operational matters of Council.

Recommendation

That Council adopts the revised Media Policy as attached.

Resolution

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

CARRIED

4.1.3 Social Media Policy**Executive Summary**

The revised Social Media Policy will amend the current policy, adopted at the Ordinary Council Meeting on 26 March 2019.

The primary amendments to the policy are the addition of the Risk Management clause in line with Council's revised policy template, clarification around record keeping processes and identification of applicable legislation.

Recommendation

That Council adopts the revised Social Media Policy as attached.

Resolution

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

CARRIED

4.2 ECONOMIC DEVELOPMENT

5 CORPORATE AND COMMUNITY SERVICES

5.1 CLIENT SERVICES

5.2 COMMUNITY DEVELOPMENT

5.3 FINANCIAL AND ADMINISTRATIVE SERVICES

5.3.1 Monthly Financial Report for Period Ending 31 January 2021

Recommendation

That the Monthly Financial Report for Period Ending 31 January 2021 be received.

Resolution

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

CARRIED

9.29am Mrs. Olsen left the meeting.

5.4 GOVERNANCE

5.4.1 Audit Committee - Tenure of Independent Professional Member

Executive Summary

It is a statutory requirement for Council to appoint an Audit Committee. In accordance with the adopted Charter, the current Audit Committee composition includes two (2) Councillors and three (3) independent members appointed by Council. The Charter allows for a “rolling replacement” model to ensure continuity of knowledge, whereby not all positions become vacant at the same time. The position of Independent Professional Member, which has been performed by Mr. Jim Fahey since 2018, is due to become vacant in March of the year following a Local Government Election (in this case, March 2021).

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 adopted 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 Fahey to Council's Audit Committee as the Independent Professional Member, for an additional four-year term, effective from 1 March 2021.

Resolution

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

CARRIED

9.30am Mr. Saldumbide entered the meeting.

9.32am Mr. Mulcahy entered the meeting.

5.4.2 Expansion of Ayr Industrial Estate**Executive Summary**

Round five (5) of the Building Better Regions Fund has been advertised and applications close on 5 March 2021. With Council's approval, it is intended to apply for funding of 50% of the estimated infrastructure project costs to undertake expansion of the Ayr Industrial Estate.

Recommendation

That Council:

1. notes the content of this report and endorses the actions taken by staff on the project to date;
2. endorses the submission of a funding application under the Building Better Regions Fund (BBRF) Round five (5) seeking 50% subsidy to expand the Ayr Industrial Estate, with an estimated project cost of \$5.6 million (plus land cost, legal expenses and sales and marketing costs); and
3. notes that should Council be successful in securing BBRF funding, that matching Council funds would be required to be provided from funds held in Reserves.

Resolution

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

CARRIED

5.4.3 Optus Mobile Pty Limited to Australia Tower Network Pty Limited - Assignment of Trustee Lease

Executive Summary

Council approval is requested to consent to the Assignment of the following Trustee Lease (the subject Lease):

Trustee:	Burdekin Shire Council
Lessee:	Optus Mobile Pty Limited
Tenure:	Reserve for Local Government
Leased Premises:	Lease B on Survey Plan 240612 (Part of Lot 2 on Crown Plan M91019)
Location:	2 Cartys Street, Millaroo
Commencement:	01 November 2011
Expiry:	31 October 2031
Options:	Nil

Recommendation

That Council agree to the Lessee assigning the whole of the subject Lease (Lease B on Survey Plan 240612) to Australia Tower Network Pty Limited ACN 643 875 165 without any amendments to the terms of the subject lease and on the condition that payment of outstanding rates and charges is fulfilled.

Resolution

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

CARRIED

6 INFRASTRUCTURE, PLANNING AND ENVIRONMENTAL SERVICES

6.1 ENVIRONMENTAL AND HEALTH SERVICES

6.1.1 Community and Environmental Management (Amendment) Local Law (No. 1) 2021 and Community and Environmental Management (Amendment) Subordinate Local Law (No.1) 2021

Executive Summary

To propose amendments to *Local Law No. 3 and Subordinate Local Law No. 3 (Community and Environmental Management) 2012* and delegate to the Chief Executive Officer the power to undertake public interest testing in relation to anti-competitive provisions.

Amendments to the Local Law and Subordinate Local Law would include provisions to specify pigeon droppings on footpaths as a community and safety hazard and prescribe actions to remedy such hazard; and include provisions to regulate the maintenance of buildings in designated areas so as to prevent public injury or harm.

Recommendation

1. That Council resolves to propose to make each of the following:
 - a. Community and Environmental Management (Amendment) Local Law (No. 1) 2021; and
 - b. Community and Environmental Management (Amendment) Subordinate Local Law (No. 1) 2021; and
2. That Council resolves, pursuant to section 257 of the *Local Government Act 2009* ("the Act"), to delegate to the Chief Executive Officer of Council its powers under section 38 of the Act and section 15 of the *Local Government Regulation 2012* ("the Regulation") to decide—
 - a. how the public interest test of the Local Law and the Subordinate Local Law particularised in the schedule is to be conducted;
 - b. the matters with which the public interest test report in relation to the Local Law and the Subordinate Local Law particularised in the schedule must deal; and
 - c. the consultation process for the public interest test and how the process is to be used in the public interest test.

Resolution

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

CARRIED

10.01am Mr. Mulcahy left the meeting.

6.2 OPERATIONS

6.3 PLANNING AND DEVELOPMENT

6.4 TECHNICAL SERVICES

6.4.1 Quotations Received for QBSC/021/003 - Watson's Green Home Hill - Warrior Course

Executive Summary

As part of the development of the 2020-2021 Capital Program, Council earmarked \$60,000.00 to match \$60,000.00 funding through the State Government's Works for Queensland funding program to install active recreation exercise-focussed equipment in Watson's Green, Home Hill.

During the formulation of the Watson's Green and Home Hill Memorial Park master planning it was determined to seek quotations to install Warrior Course equipment and utilise the \$120,000.00 Capital Budget to fund the project.

In accordance with Council's Procurement Policy, staff sourced quotations through QBSC/21/003 for the design, supply and installation of a Warrior Course at Watsons Green, Home Hill. At the time of closing three (3) quotations were received, and the proposals were assessed by an Internal Project Team using a multi-criteria weighting and "Value for Money" approach.

The three (3) quotations and Warrior Course proposals were discussed with Councillors at a Workshop on 16 February 2021.

Due to the lead time required to source the equipment, and the 30 June 2021 deadline in which the project needs to be delivered and Works for Queensland funding expended, on 17 February 2021 staff placed an order with A_Space Australia Pty Ltd to design, supply and install a Warrior Course as per their quotation.

The purpose of this report is to formally advise Council of actions taken by staff and seek endorsement of same.

Recommendation

That Council:

1. acknowledges the content of this report and endorses the action taken by staff in accepting the lump sum quotation of \$129,995.00 excluding GST from A_Space Australia Pty Ltd as the highest scoring quotation received for QBSC/21/003 based on multi-criteria scoring and ranking;
2. approves the increase to total budget for the project of \$23,295.00 excluding GST which covers the following:
 - a. Budget variance to quotation price (\$9,995.00) excluding GST;
 - b. Service locations/inspections (\$1,200.00) excluding GST;
 - c. Lighting upgrade (\$2,500.00) excluding GST;
 - d. Provisional sum for Item 4.4.5 (B) (\$3,600.00) excluding GST; and
 - e. Contingency (6,000.00);
3. acknowledges that funds to increase the project budget as outlined in point (2) above, are to be sourced from savings from approved 2020-2021 Capital Projects.

Resolution

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

CARRIED

7 NOTICE OF MOTION

8 RECEIPT OF PETITIONS

9 CORRESPONDENCE FOR INFORMATION

9.1 Letter of Support - Home Hill Boat Club

Resolution

Moved Councillor Musumeci, seconded Councillor Furnell that Council write a letter of support for the Home Hill Boat Club to assist with the Federal Government Funding Application through the Stronger Communities Programme Round six (6) to erect a new Shaded Community Area in the Groper Creek Public Carpark.

CARRIED

10 GENERAL BUSINESS

11 CLOSED BUSINESS ITEMS

12 DELEGATIONS

There being no further business the meeting closed at 10.25am.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 9 March 2021.

MAYOR
