



Burdekin Shire Council

MINUTES

ORDINARY COUNCIL MEETING

HELD AT COUNCIL ADMINISTRATION BUILDING,
145 YOUNG STREET, AYR

on 14 September 2021

COMMENCING AT 9:00 AM

ORDER OF BUSINESS:

1. ATTENDANCE

Councillor Lyn McLaughlin, Councillor Sue Perry, Councillor Kaylee Boccalatte, Councillor John Bonanno, Councillor Michael Detenon, Councillor John Furnell, Councillor Max 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. Cornwell - Manager Community Services (Part)
Mr. D. Mulcahy - Manager Environmental and Health Services (Part)
Mrs. K. Olsen - Manager Financial and Administrative Services (Part)
Mr. W. Saldumbide - Manager Operations (Part)
Mrs. A. Dale - Administration and Records Coordinator (Part)
Ms. T. Bateman - Governance and Property Officer (Part)
Ms. H. Johnstone - Financial Accountant (Part)
Ms. T. Heuir - Graduate Technical Officer (Part)

Minutes Clerk - Ms. G. Biffanti

2. PRAYER

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

9.14am - Mr. Cornwell entered the meeting.

9.15am - Ms. Heuir entered the meeting.

3. DECLARATIONS OF INTEREST

The Mayor called for declarations of interest.

Councillor Boccalatte advised she had a Declarable Conflict of Interest in relation to Item 6.4.1 Invitation to Tender - Leasing of Reserve Land on Rita Island as her family's property borders on the Reserve Land - Lot 141 on Crown Plan GS808420 which is part of land included in the tenders to lease. Councillor Boccalatte advised of her intention to leave the meeting during this discussion.

4. MINUTES AND BUSINESS ARISING

4.1. Ordinary Council Meeting Minutes - 24 August 2021

Recommendation

That the minutes of the Ordinary Council Meeting held on 24 August 20021 be received as a true and correct record.

Resolution

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

CARRIED

4.2. Economic Development Advisory Group Meeting Minutes - 5 August 2021

Recommendation

No recommendations to report.

That:

1.the minutes of the Economic Development Advisory Group Meeting held on 5 August 2021 be noted and adopted.

Resolution

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

CARRIED

4.3. Audit Committee Meeting Minutes - 12 August 2021

Recommendation

4.1 – Draft Financial Statements

That the Committee note the draft 2020-21 Financial Statements.

4.2 – Review Management Assurance and Compliance Representations

That the Committee note the management assurance and compliance representations.

5.2 – Result of Audit and Follow-up with Management

That the Committee note the areas of audit focus and key audit milestones.

6.1 – BDO Proposed Methodology for 3-year Internal Audit Contract

That the Committee note the BDO Internal Audit Planning Approach.

6.2 – Internal Audit Activity Report

That the Committee note the Internal Audit Activity Report and endorse the proposed revised due dates.

7.1 – Risk Management Update

That the Committee note the RelianSys Risk Management Software Implementation Plan.

7.2 – Follow-up on Audit Issues

That the Committee note the update and completion of the QAO Waste Levy Best Practice Recommendation.

7.3 – Management Response to QAO Local Government 2020 - Report 17: 2020-21

That the Committee note the Management Response to the QAO Local Government 2020 Report 17: 2020-21 and endorse the report be presented to Council.

That:

1. the minutes of the Audit Committee Meeting held on 12 August 2021 be noted, and;
2. the recommendations as detailed in the minutes and summarised in Item 4.1 to 7.3 above be adopted.

Resolution

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

CARRIED

4.4. Burdekin Shire Youth Council Meeting Minutes - 16 August 2021

Recommendation

Item 5 - First Aid Training – September 2021 School Holidays

That Council notes the calling of expressions of interest for community members to take part in a youth focused First Aid Training & CPR Course during the first week of the September 2021 school holidays.

Item 6 – Public Speaking Workshop – September 2021 School Holidays

That Council notes the facilitation of a Public Speaking Workshop to be held in the second week of the September 2021 School Holidays at a cost of \$10 per person.

Item 7 – R U OK? Day Involvement

That Council notes the Burdekin Shire Youth Council's proposal to film an awareness video as part of R U OK? Day 2021.

Item 8 – Mental Health Week Involvement

That Council notes the proposed participation of the Youth Council Members at Council's Health & Wellbeing Expo to be held on Saturday 9 October, 2021.

Item 9 – NQ Fast Track Talent Showcase 2022

That Council notes the proposed date for NQ Fast Track Talent Showcase in 2022, being Saturday 2 April, 2022.

Item 10 – Involvement in Seniors Month – October 2021

That Council notes the proposed involvement of the Burdekin Shire Youth Council Members in Seniors Month activities in October 2021.

That:

1. the minutes of the Burdekin Shire Youth Council Meeting held on 16 August be noted, and;
2. the recommendations as detailed in the minutes and summarised above be adopted.

Resolution

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

CARRIED

4.5. Burdekin Shire Road Safety Advisory Committee Meeting Minutes - 18 August 2021

Recommendation

6.4 – Review Signage

That Council review speed signage adjacent to the intersection of Parker and Airdmillan Roads, Ayr.

6.5.4 – Giveway Sign – Intersection Sixth Street and Fifth Avenue, Home Hill. (12 May 2021)

That Council reinvestigate whether a giveway sign is warranted on the Southern side of Fifth Avenue at the intersection of Sixth Street, Home Hill as per request from Sergeant Steve Wilson – Officer in Charge Home Hill.

That:

1. the minutes of the Burdekin Shire Road Safety Advisory Committee Meeting held on Wednesday, 18 August 2021 be noted, and;
2. the recommendations as detailed in the minutes and summarised in 6.4 and 6.5.4 (12 May 2021 Meeting) above be adopted.

Resolution

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

CARRIED

9.27am - Mr. Saldumbide entered the meeting.

5. EXECUTIVE

5.1. CEO

5.1.1. Council Workshops - August 2021

Executive Summary

The Council conducted two workshops during the past month on 3 and 17 August 2021, with a range of policy and operational issues discussed by councillors and staff.

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

Recommendation

That the report on the Council workshops held on 3 and 17 August 2021 be received and noted.

Resolution

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

CARRIED

5.2. ECONOMIC DEVELOPMENT

6. CORPORATE AND COMMUNITY SERVICES

6.1. CLIENT SERVICES

6.1.1. Annual Staff Christmas Closedown Dates 2021

Executive Summary

Council approval is sought for the end of year close down period. It is traditional for Council to close during the festive period. This closure ensures all staff access leave over the holiday period. During this period there will be a roster of skeleton staff, including on call staff, available to respond to any issues that requires immediate attention.

Recommendation

It is recommended that Council approves the following 2021 Christmas close period as follows:

Outdoor Staff:

- Closedown from Friday 17 December 2021 up to and including Friday 7 January 2022.
- Return to work on Monday 10 January 2022.

Indoor Staff:

- Finish at 1pm on Thursday 24 December 2021.
- Closedown from Friday 25 December 2021 up to and including Monday 3 January 2022.
- Return to work on Tuesday 4 January 2022.

Resolution

Moved Councillor Detenon, seconded Councillor Musumeci that the recommendation be adopted noting the following amendment:

Indoor Staff:

- Finish at 1pm on Thursday 23 December 2021.
- Closedown from Friday 24 December 2021 up to and including Monday 3 January 2022.
- Return to work on Tuesday 4 January 2022.

CARRIED

6.2. COMMUNITY DEVELOPMENT

6.2.1. Burdekin Shire Council Arts and Cultural Strategy 2021-2030

Executive Summary

Council at its meeting of 27 October 2020 appointed 'aha! good thinking' to develop an Arts and Cultural Strategy for the Shire. A 10 year strategy has been developed which will provide a roadmap from the current Arts and Cultural state to a desired vision of enhanced practice and Arts and Cultural capability for the Shire.

Recommendation

That Council adopts the attached Burdekin Shire Council Arts and Cultural Strategy 2021–2030.

Resolution

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

CARRIED

9.35am - Ms. Bateman entered the meeting.

6.2.2. Burdekin Water Park Procurement Process - Phase One

Executive Summary

Building a Water Park in the Burdekin has been on the public agenda for some time. In 2019, following a period of community consultation, Council included a Water Park concept in the footprint of the Ayr Swimming Pool Complex as part of the ANZAC Park Precinct Master Plan.

Council has earmarked \$2.5M in its 2020/21 Capital Budget for the Design and Construction of the Burdekin Water Park. Following adoption of the 2020/21 Budget Councillors and staff have been undertaking preliminary planning for the project.

At its meeting of 31 August 2021, Council formally approved a two-step procurement process for the Design and Construction of the Burdekin Water Park.

Expressions of Interest - Phase One of the procurement process have been called from suitably qualified firms to outline their experience in designing and constructing water parks.

An assessment panel has undertaken a review of the Expressions of Interest.

The purpose of this report is to seek Council's approval of the three recommended firms to proceed to the second phase of the procurement process in which the companies would be invited to submit preliminary designs and costing for the Burdekin Water Park through a competitive tender process.

Recommendation

That Council:

1. endorses the recommendations of the assessment panel to shortlist the following firms to proceed to the formal tender phase of the procurement process for the Burdekin Water Park Project:
 - a. Playscape Creations
 - b. Beau Corp Aquatics and Constructions
 - c. Taylor Builders Pty LTD; and
2. acknowledges that as part of the formal tender process the three firms mentioned in (1) above, will be invited to participate in a 'Water Park Design Competition' whereby each firm will be offered \$10,000 payment to provide a preliminary design and costing for the project, and as a result of the payment to each firm, Council will own the design concepts; and
3. notes the indicative project delivery timeframes as outlined in the body of this report.

Resolution

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

CARRIED

9.45am - Mrs. Dale entered the meeting.

9.49am - Mr. Cornwell and Ms. Heuir left the meeting.

6.3. FINANCIAL AND ADMINISTRATIVE SERVICES

6.3.1. TBSC/21/013 - Cleaning Services for Jones Street Depot

Executive Summary

The *Local Government Regulation Queensland 2012* requires Council to invite written tenders for large-sized contractual arrangements for goods and services purchased from a supplier that is expected to exceed \$200,000.00 excluding GST per financial year. As Council retendered for the Jones Street Depot Cleaning Contract, there was potential that the purchase of Cleaning Services as a combined contract for Council Chambers, Jones Street Depot and Burdekin Libraries – Ayr and Home Hill fell within this category.

Tenders were called for TBSC/21/013 - Cleaning Services for Jones Street Depot on Friday, 13 August, 2021. Following assessment of the evaluation criteria – price, proven performance, resources and local content of the five tenders received, the recommendation is outlined below.

Recommendation

That Council awards Contract TBSC/21/013 - Cleaning Services for Jones Street Depot to Command51 Pty Ltd for a contract price of \$57,217.44 (including GST) commencing on 1 October 2021 in accordance with the conditions outlined in the Procurement Process, Contract, Scope and Specifications and Tender Response.

Resolution

Moved Councillor Boccalatte, seconded Councillor Musumeci that the recommendation be adopted noting the following amendment:

That Council awards Contract TBSC/21/013 - Cleaning Services for Jones Street Depot to Command51 Pty Ltd for a contract price of \$57,217.44 (including GST) commencing on 1 October 2021 for a two (2) year period, in accordance with the conditions outlined in the Procurement Process, Contract, Scope and Specifications and Tender Response.

CARRIED

9.51am - Mrs. Dale left the meeting.

6.4. GOVERNANCE

6.4.1. Invitation to Tender – Leasing of Reserve Land on Rita Island

9.52am - Councillor Boccalatte left the meeting at the commencement of this discussion as she had a Declarable Conflict of Interest in relation to Item 6.4.1 Invitation to Tender - Leasing of Reserve Land on Rita Island as her family's property borders on the Reserve Land, Lot 141 on Crown Plan GS808420 which is part of land included in the tenders for lease.

Executive Summary

Council approval is requested to inviting written tenders to lease part or all of the following parcels of reserve land:

Trustee: Burdekin Shire Council
Land Description: Lot 141 on Crown Plan GS808420
Area: 658.00 hectares (about)
Purpose: Local Government Sub-Purpose: Flood Erosion Control

Trustee: Burdekin Shire Council
Land Description: Lot 122 on Crown Plan GS405
Area: 20.246 hectares (about)
Purpose: Local Government Sub-Purpose: Flood Erosion Control

Trustee: Burdekin Shire Council
Land Description: Lot 121 on Survey Plan 205555
Area: 3.996 hectares (about)
Purpose: Local Government Sub-Purpose: Flood Erosion Control

Recommendation

That Council agree to inviting written tenders to lease part of Lot 141 on Crown Plan GS808420, part or all of Lot 122 on Crown Plan GS405 and part or all of Lot 121 on Survey Plan 205555 for grazing only.

Resolution

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

CARRIED

9.55am - Ms. Bateman left the meeting.

9.56am - Councillor Boccalatte returned to the meeting.

7. INFRASTRUCTURE, PLANNING AND ENVIRONMENTAL SERVICES

7.1. ENVIRONMENTAL AND HEALTH SERVICES

7.2. OPERATIONS

7.2.1. Tenders Received for the Tender TBSC/21/012 Fabrication and Erection of Ayr 10ML Reservoir and Related Infrastructure

Executive Summary

Council has developed a multi staged strategic infrastructure solution to accommodate the loss of water supply production bores in the Nelson's Lagoon borefield following the detection of PFAS in concentrations above the Australian Drinking Water Guideline (ADWG) health threshold. The solution has been peer reviewed and approved by the Queensland State Government.

Council has received a \$10,000,000 Special Purpose Grant from the Department of Local Government, Racing and Multicultural Affairs under the Local Government Grants and Subsidies Program (LGSSP) to undertake the design and construction of the Ayr Water Supply Infrastructure (Stage 2) Upgrade Program.

TBSC/21/012 for the Fabrication and Erection of Ayr 10ML Reservoir and Related Infrastructure closed at 12.00pm on Tuesday 17 August 2021.

At the time of closing tenders were received from 12 suppliers through VendorPanel and assessed by Burdekin Shire Councils Project Management Team. These included a number of separable and non-separable bids for the project which were then assessed based on value for money, local content, methodology, experience and demonstrated understanding of the project. Four of the tenders received were considered non-conforming and were not considered further.

The tender included the supply, delivery and commissioning of the following packages:

- Principal Contractor
- Package 1 - Earthworks
- Package 2 – Supply and Construction of Reservoir
- Package 3 – Protective Coating for the Reservoir
- Package 4 - Pipework and Pits
- Package 5 – Buildings
- Package 7 – Chlorine Dosing Systems
- Package 8 – Electrical Components
- Package 9 – Fence

Recommendation

1. that Council appoints TEi Services Pty Ltd to the Principal Contractor role, overseeing the onsite WHS for the fee of \$81,600.00 excl. GST as proposed.

2. that Council accepts the fixed price quotation of \$82,545.00 excl. GST from TEi Services Pty Ltd as the most advantageous quotation received for TBSC/21/012 Fabrication and Erection of Ayr 10ML Reservoir – Package 1 – Earthworks.

3. that Council accepts the fixed price quotation of \$2,626,264.29 excl. GST from TEi Services Pty Ltd as the most advantageous quotation received for TBSC/21/012 Fabrication and Erection of Ayr 10ML Reservoir – Package 2 – Supply and Construction of Reservoir.

4. that Council accepts the fixed price quotation of \$408,306.77 excl. GST from QPAMS Pty Ltd as the most advantageous quotation received for TBSC/21/012 Fabrication and Erection of Ayr 10ML Reservoir – Package 3 – Reservoir Protective Coating.

5. that Council accepts the fixed price quotation of \$1,947,397.95 excl. GST from Roebuck Civil Pty Ltd as the most advantageous quotation received for TBSC/21/012 Fabrication and Erection of Ayr 10ML Reservoir – Package 4 – Pipework and Pits.

6. that Council accepts the fixed price quotation of \$376,988.25 excl. GST from Roebuck Civil Pty Ltd as the most advantageous quotation received for TBSC/21/012 Fabrication and Erection of Ayr 10ML Reservoir – Package 5 – Buildings.

7. that Council accepts the fixed price quotation of \$605,991.50 excl. GST from Roebuck Civil Pty Ltd as the most advantageous quotation received for TBSC/21/012 Fabrication and Erection of Ayr 10ML Reservoir – Package 5 – Pumps.

8. that Council accepts the fixed price quotation of \$150,427.00 excl. GST from Trility as the most advantageous quotation received for TBSC/21/012 Fabrication and Erection of Ayr 10ML Reservoir – Package 7 – Chlorine Dosing Systems

9. that Council accepts the fixed price quotation of \$192,615.00 excl. GST from Burdekin Air Conditioning and Electrical Pty Ltd as the most advantageous quotation received for TBSC/21/012 Fabrication and Erection of Ayr 10ML Reservoir – Package 8 – Electrical Components

10. that Council accept the decision of the Project Management Team to not award the component Package 9 – Fence. This component may be completed at the completion of the entire project.

Resolution

Moved Councillor Detenon, seconded Councillor Furnell that the recommendation be adopted noting the following amendment:

Item 10. that Council endorse the decision of the Project Management Team to not award the component Package 9 – Fence as this component may be completed at the completion of the entire project.

CARRIED

7.3. PLANNING AND DEVELOPMENT

7.3.1. Tenders Received for TBSC/21/009 - Burdekin Memorial Hall - Front Entrance Upgrade and New Access Ramp

Executive Summary

The proposed Burdekin Memorial Hall – Front Entrance Upgrade and New Access Ramp has been identified as a major Capital Works Project to be carried out during the 2021/2022 financial year. The works are to be funded through the Phase Two of the Federal Government's Local Roads and Community Infrastructure Program (LRCIP), with a total of \$263,000 of LRCIP funds earmarked for the entrance works and a further \$160,000 LRCIP funds earmarked for associated civil works in Ninth Avenue, Home Hill.

Section 226 of the *Local Government Regulation 2012* requires Council to invite written tenders for large-sized contractual arrangements that is expected to be worth, exclusive of GST, \$200,000 or more in a financial year.

The Burdekin Memorial Hall – Front Entrance Upgrade and New Accessible Ramp works were expected to fall within this category. Tenders have been called and at the closing date for tenders on Monday 16 August 2021, three tenders were received via VendorPanel which have been assessed by staff.

All LRCIP Phase Two Funded Projects must be completed by 30 December 2021. Given that 'time is of the essence' to complete the works by the 30 December 2021 deadline, after discussion with Councillors, the Chief Executive Officer awarded the contract to the tender panel's preferred tenderer RJG Builders Pty Ltd.

The purpose of this report is for Council to formally endorse the actions of the Chief Executive Officer.

Recommendation

That Council:

1. endorse the action taken by the Chief Executive Officer in accepting the tender submitted by RJG Builders being \$334,066.87 (ex. GST) which includes identified savings of \$80,015.64 from the original tender for Burdekin Memorial Hall – Front Entrance Upgrade and New Accessible Ramp works in accordance with their original submission received and subsequent variation; and
2. notes that additional funds to complete the project will be sourced from savings on the civil works in Ninth Avenue, Home Hill and the notional budget of \$136,612 allocated from the Federal Government's LRCIP Phase Two for Improvements to Watson's Green.

Resolution

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

CARRIED

10.17am - Mr. Mulcahy entered the meeting.

10.21am Mr. Saldumbide left the meeting.

7.4. TECHNICAL SERVICES

8. NOTICE OF MOTION

9. RECEIPT OF PETITIONS

10. CORRESPONDENCE FOR INFORMATION

10.1. Request for Council Support - Attendance of Mayor McLaughlin – Institute of Public Works Engineering Australasia (IPWEA) Annual Conference – 12 to 14 October 2021

Resolution

Moved Councillor Perry, seconded Councillor Bonanno that Council endorse Mayor McLaughlin to attend the IPWEA Annual Conference in Cairns on 12 to 14 October 2021 with all expenses of attendance to be met by Council.

10.23am - Mrs. Olsen and Ms. Johnstone entered the meeting.

11. GENERAL BUSINESS

10.34am - Mrs. Olsen and Ms. Johnstone left the meeting.

12. CLOSED BUSINESS ITEMS

12.1. Confidential Report - Burdekin Shire Council - Certified Agreement 2021

Council Meeting closed to Public under Section 254J of Local Government Regulation 2012

Resolution

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

254J (b) industrial matters affecting employees;

For the purpose of discussing:

1. Enterprise Bargaining Certified Agreement 2021

CARRIED

10.47am - Meeting adjourned for Morning Tea.

11.15am - Meeting recommenced.

Council Meeting opened to Public

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

CARRIED

Executive Summary

The Council commenced negotiations for a new Enterprise Bargaining Certified Agreement in February 2021, with the start of negotiations delayed by Covid restrictions. The negotiations with the Unions and employee representatives have progressed on a constructive basis and Council has been regularly updated on the progress of negotiations.

A draft Certified Agreement has been prepared and distributed to employees following agreement from the Unions for this to occur. A workforce vote will be conducted on the draft agreement after a 14 day review period has occurred, as required by the Industrial Relations Legislation.

Recommendation

That Council receive the report from the Chief Executive Officer on the status of Enterprise Bargaining negotiations and endorse the proposed *Burdekin Shire Council Certified Agreement 2021*.

Resolution

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

CARRIED

13. DELEGATION

There being no further business the meeting closed at 11.18am.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 28 September 2021.

MAYOR
