



Burdekin Shire Council

# **MINUTES**

## **ORDINARY COUNCIL MEETING**

HELD AT COUNCIL ADMINISTRATION BUILDING,  
145 YOUNG STREET, AYR

**on 9 November 2021**

**COMMENCING AT 9:00 AM**

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## **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

Mrs. K. Olsen - Manager Financial and Administrative Services (Part)

Mrs. J. Thomasson - Revenue Coordinator (Part)

Dr. P. Prayaga - Coordinator Public Health and Environment (Part)

Mr. G. Stockdale - Design Office Coordinator (Part)

Minutes Clerk - Ms. G. Biffanti

### **2. PRAYER**

The meeting prayer was delivered by Pastor Ray Hobbs of the Seventh Day Adventist Church.

### **3. DECLARATIONS OF INTEREST**

The Mayor called for declarations of interest.

Councillor McLaughlin advised she had a Declarable Conflict of Interest in relation to Item 6.4.4 Burdekin Netball Association Incorporated - Proposed Trustee Lease over 62 Twelfth Avenue, Home Hill (Land Only) as she is a Life Member of the Burdekin Netball Association. Councillor McLaughlin advised of her intention to leave the meeting during this discussion.

Mr. Terry Brennan advised he had a Declarable Conflict of Interest in relation to Item 6.4.3 Revised Policy - Complaints Regarding Corrupt Conduct of the Chief Executive Officer Policy (Section 48A) due to his position in the Burdekin Shire Council as Chief Executive Officer. Mr. Brennan advised of his intention to leave the meeting during this discussion.

### **4. MINUTES AND BUSINESS ARISING**

#### **4.1. Ordinary Council Meeting Minutes - 21 October 2021**

##### **Recommendation**

That the minutes of the Ordinary Council Meeting held on 21 October 2021 be received as a true and correct record.

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## **Resolution**

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

CARRIED

## **4.2. Economic Development Advisory Group Minutes – 7 October 2021**

### **Recommendation**

Item 1d - Matters arising from previous meeting (Action Table – refer Appendix A)

That Council writes to Defence Force Housing to obtain written feedback on requirements for housing.

Item 4a - Subsidised Bus Service

That Council investigates the potential for boat ramp facilities in the fresh water of the Burdekin River.

That:

1. the minutes of the Economic Development Advisory Group Meeting held on 7 October 2021 be noted and adopted.
2. the recommendations as detailed in the minutes and summarised in Items 1d and 4a above be adopted.

## **Resolution**

Moved Councillor Musumeci, seconded Councillor Detenon that the recommendation be adopted noting Item 4a - Subsidised Bus Service should read 'Potential for Boat Ramp Facilities in the Fresh Water of the Burdekin River'.

CARRIED

## **4.3. Local Disaster Management Group Meeting Minutes - 15 October 2021**

### **Recommendation**

That the minutes of the Local Disaster Management Group Meeting held on 15 October 2021 be received as a true and correct record.

## **Resolution**

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

CARRIED

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#### **4.4. Burdekin Shire Youth Council Meeting Minutes - 11 October 2021**

##### **Recommendation**

###### Item 5 – Mental Health Week Outdoor Movie Night – 15 October 2021

That Council notes the involvement of the Burdekin Shire Youth Council with the Burdekin PCYC to host the Mental Health Week Outdoor Movie Night to be held on 15 October 2021.

###### Item 6 – Attendance at Seniors Month Luncheon and Expo

That Council notes the proposed attendance of Burdekin Shire Youth Council members at the Seniors Month Luncheon and Expo to be held on 18 October 2021.

###### Item 7 – Youth/Senior Podcasting

That Council notes the coordination of the youth/senior podcast interviews to be completed as part of Seniors Month.

That:

1. the minutes of the Burdekin Shire Youth Council Meeting held on 11 October 2021 be noted, and;
2. the recommendations as detailed in the minutes and summarised in Items 5 to 7 above be adopted.

##### **Resolution**

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

CARRIED

#### **5. EXECUTIVE**

##### **5.1. CEO**

###### **5.1.1. Council Workshops - October 2021**

##### **Executive Summary**

The Council conducted two (2) Workshops during the past month on 5 and 19 October 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 5 and 19 October 2021 be received and noted.

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## **Resolution**

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

CARRIED

## **5.2. ECONOMIC DEVELOPMENT**

## **6. CORPORATE AND COMMUNITY SERVICES**

### **6.1. CLIENT SERVICES**

### **6.2. COMMUNITY DEVELOPMENT**

### **6.3. FINANCIAL AND ADMINISTRATIVE SERVICES**

#### **6.3.1. Requests for Exemption to Change of Ownership Fee**

##### **Executive Summary**

Council charges a fee for registering a change of ownership on its property and rating database. The Department of Resources (DOR) and the Department of Transport and Main Roads (TMR) are querying Council's application of this charge in relation to name changes to the relevant State Government Departments which occur as a result of Machinery of Government changes.

##### **Recommendation**

That, having regard to the application of the Change of Ownership fee under the adopted Fees and Charges to name changes arising from Machinery of Government changes, that Council write off the outstanding fees levied on the Department of Resources and the Department of Transport and Main Roads.

Further, that Council exempt all government departments from the fee where the transfer is for a change of name only as a result of State Machinery of Government changes effective from 9 November 2021.

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## **Resolution**

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

FOR - Councillors Lyn McLaughlin, Sue Perry, John Bonanno, John Furnell, Max Musumeci

AGAINST - Councillors Kaylee Boccalatte, Michael Detenon

5/2

CARRIED

### **6.3.2. Sale of Land for Overdue Rates and Charges**

#### **Executive Summary**

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 \$132,000.

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.

#### **Recommendation**

That pursuant to Section 140(2) of the *Local Government Regulation 2012*, Council sells 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 2012* to effect sale of the land or end the sale procedures if appropriate (Section 141(3) of the Regulation).

## **Resolution**

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

CARRIED

## **6.4. GOVERNANCE**

### **6.4.1. Interest Free Loan Request - Brandon Bowls Club Incorporated**

#### **Executive Summary**

A formal request has been received from Brandon Bowls Club Incorporated (BBC) for an interest free loan of \$100,000.00 towards the cost of replacing the synthetic grass surface.

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## **Recommendation**

That Council approve an interest free loan to the Brandon Bowls Club Inc of \$100,000.00 towards the cost of replacing the synthetic grass surface, noting that approval will require compliance with the following conditions:

1. Repayment at an annual amount of \$10,000.00 for a term of ten (10) years; and
2. Execution of a mortgage or equivalent security, in favour of Burdekin Shire Council, with costs to be borne by the applicant, and the mortgage or security would continue in place until such time as all monies due and payable to the Council had been repaid.

## **Resolution**

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

CARRIED

*9.25am - Mrs. Olsen and Mrs. Thomasson left the meeting.*

## **6.4.2. Operational Plan 2021/2022 Q1 Report**

### **Executive Summary**

The Q1 Operational Plan Report has been prepared in accordance with reporting requirements of the *Local Government Regulation 2012*. At the end of the first quarter period of the 211 agreed activities within the Operational Plan 2021/2022, 89% (188 activities) are meeting or above target, 9% (19 activities) are progressing, 1% (1 activity) is under target and 1% (3 activities) are considered inactive. A graph comparing Council's performance at the same time last year is included later in this report.

## **Recommendation**

That Council adopts the Operational Plan 2021/2022 Q1 Report as attached to this report.

## **Resolution**

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

CARRIED

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#### **6.4.3. Revised Policy - Complaints Regarding Corrupt Conduct of the Chief Executive Officer Policy (Section 48A)**

*9.27am Mr. Brennan left the meeting at the commencement of this discussion as he had a Declarable Conflict of Interest in relation to Item 6.4.3 Revised Policy - Complaints Regarding Corrupt Conduct of the Chief Executive Officer Policy (Section 48A) due to his position in the Burdekin Shire Council as Chief Executive Officer.*

#### **Executive Summary**

As a provision of the *Crime and Corruption Act 2001*, Council is required to adopt a policy for dealing with complaints that involve or may involve corrupt conduct of the Chief Executive Officer (CEO). The Crime and Corruption Commission has published a template policy to be used by all units of public administration in Queensland. The policy nominates the Mayor and the Chairperson of the Independent Audit Committee to accept and deal with a complaint of corrupt conduct of the CEO in accordance with requirements of the *Crime and Corruption Act 2001*.

The policy has been reviewed by staff and updated to reflect a new organisational structure. The policy includes the direct contact details for both the Mayor and the Independent Chairperson of the Audit Committee. The tenure of the incumbent Independent Chairperson, Mr. Ian Jessup, will end in April 2022. It is expected that his successor will undertake the same responsibilities.

#### **Recommendation**

That Council adopts the Complaints Regarding Corrupt Conduct of the CEO Policy (Section 48A) as attached to this report and authorises an administrative update of contact details for the Independent Chairperson of the Audit Committee following the appointment of a new Chairperson in 2022.

#### **Resolution**

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

CARRIED

*9.29am - Dr. Prayaga entered the meeting.*

*9.30am – Mr. Brennan returned to the meeting.*

#### **6.4.4. Burdekin Netball Association Incorporated – Proposed Trustee Lease over 62 Twelfth Avenue, Home Hill (Land only)**

*9.31am Councillor McLaughlin left the meeting at the commencement of this discussion as she had a Declarable Conflict of Interest in relation to Item 6.4.4 Burdekin Netball Association Incorporated - Proposed Trustee Lease over 62 Twelfth Avenue, Home Hill (Land Only) as she is a Life Member of the Burdekin Netball Association.*

*Councillor Perry assumed the chair.*

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## **Executive Summary**

Council has received a proposal from Burdekin Netball Association Incorporated to enter into a trustee lease with Burdekin Netball Association Incorporated over the land at 62 Twelfth Avenue, Home Hill (described as Lot 3 on Crown Plan H61675) with the dwelling erected thereon to be removed by Council.

## **Recommendation**

That Council:

1. Agree to inviting written tenders for the purchase and removal of the 62 Twelfth Avenue, Home Hill dwelling pursuant to section 227(1) of the *Local Government Regulation 2012*; and
2. Agree to applying for Ministerial Consent from the Department of Resources to enter into a trustee lease with Burdekin Netball Association Incorporated over the land at 62 Twelfth Avenue, Home Hill (described as Lot 3 on Crown Plan H61675).

## **Resolution**

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

CARRIED

*9.35am Councillor McLaughlin returned to the meeting and resumed the chair.*

## **7. INFRASTRUCTURE, PLANNING AND ENVIRONMENTAL SERVICES**

### **7.1. ENVIRONMENTAL AND HEALTH SERVICES**

#### **7.1.1. Annual Report 2020-2021 - Actions and Progress in the Biosecurity Plan 2020-2025**

## **Executive Summary**

The Council's Biosecurity Plan 2020-2025 (The Plan) was adopted by Council on 31 July 2020. The Plan includes a requirement for the progress of the Plan to be reviewed formally every 12 months by the Council and updates provided to all stakeholders. This is the annual report for the financial year 2020-2021.

## **Recommendation**

That the Annual Report on the operational activities for 2020-2021 from the Council's Biosecurity Plan 2020-2025 be received and noted.

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## **Resolution**

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

CARRIED

*9.38am - Dr. Prayaga left the meeting.*

*9.40am - Mrs. Olsen entered the meeting.*

## **7.2. OPERATIONS**

## **7.3. PLANNING AND DEVELOPMENT**

## **7.4. TECHNICAL SERVICES**

### **7.4.1. Jack Road, Colevale - Road Construction Request**

#### **Executive Summary**

Canegrowers Burdekin Pty Ltd on behalf of a Cane Harvesting Contracting business have requested Council construct and maintain a new approximately 300 metre section of Jack Road, Colevale to provide a more durable road to accommodate cane haulouts accessing a farm on 287 Jack Road, Colevale.

Cost to Council for construction of a 300 metre long, 4.5m wide unsealed access road is estimated at \$70,000.00 not including any drainage infrastructure.

#### **Recommendation**

That Canegrowers Burdekin be thanked for its representations on behalf of the Cane Harvesting Contracting business in seeking Council to undertake the construction of a 300 metre extension of a currently unformed section of Jack Road, Colevale due to the change of ownership of farming land and advised that Council believes it is the property owners responsibility to meet the cost of undertaking this work, as per past practice in dealing with requests of this nature.

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## **Resolution**

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

FOR - Councillors Lyn McLaughlin, Sue Perry, Kaylee Boccalatte, John Bonanno, Michael Detenon, John Furnell

AGAINST - Councillor Max Musumeci

6/1

CARRIED

*9.43am - Mr. Stockdale entered the meeting.*

## **MOTION ARISING**

### **7.4.2. Further Investigation - Extending Jack Road, Brandon**

#### **Recommendation**

That Council Officers investigate the cost of extending Jack Road, Brandon for approximately 90 meters from the intersection of the existing formed road at a width of 4.5 meters and to an unsealed road standard.

#### **Resolution**

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

CARRIED

*9.47am - Mr. Stockdale left the meeting.*

## **8. NOTICE OF MOTION**

## **9. RECEIPT OF PETITIONS**

## **10. CORRESPONDENCE FOR INFORMATION**

### **10.1. Discussion - New Local Government Sustainability Framework**

Mr. Brennan advised Councillors that staff had prepared a draft submission on the recently released Local Government Sustainability Framework discussion paper.

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## **11. GENERAL BUSINESS**

### **11.1. Building Our Regions – Round 6 – Application for Funding**

#### **Executive Summary**

The Council has been advocating for some time for funding support from the State or Federal Governments to undertake the construction of a Macro-algae Bioremediation facility at the Ayr-Brandon Wastewater Treatment Plant (WWTP). The facility would be built on land adjoining the existing WWTP and based on the design, require an area of approximately 4.5 hectares.

The project will be a joint initiative between Council and Pacific-Biotechnologies Pty Ltd, who own the intellectual property for the macro-algae treatment, to construct and operate the facility. A pilot project is currently being undertaken at the Ayr-Brandon WWTP with a smaller scale version of the treatment process being tested over a six-month period in a joint exercise between Council, Pacific-Bio and JCU.

Construction of the facility will enable a major improvement in the water quality of the final discharge from the WWTP through a significant reduction in Nitrogen and Phosphorous levels in the treated effluent. The project will also allow for an increase in the treatment capacity at the WWTP by providing additional load and buffering capacity with the additional ponds.

The treatment process is very innovative and somewhat of a demonstration project in the use of macro-algae as a tertiary treatment option. Being the first of its kind, it could be replicated at other similar types of wastewater treatment plants in the Great Barrier Reef catchment, as a cost-effective solution to the improvement of water quality through reductions in Nitrogen and Phosphorous levels.

The estimated cost of the project is between \$8.5 and \$9 Million and the maximum grant available under BOR Round 6 is \$2 million, so Council will need to source other grant funds as well to proceed with the project. The BOR program involves a two (2) stage application process, with the first stage requiring the submission of an Expression of Interest and a second more detailed application is required for stage to (2), if invited to proceed to this stage.

#### **Recommendation**

That Council endorse the submission of an application under the Building Our Regions (BOR) Program Round 6 for funding of \$2 million to undertake the construction of a Macro-algae Bioremediation facility at the Ayr-Brandon Wastewater Treatment Plant, noting it will be responsible for the balance of the costs of the project and that it will be seeking further grant funding support to undertake.

#### **Resolution**

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

CARRIED

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## **11.2. Congratulations - Home Hill Harvest Festival**

Councillor Bonanno congratulated the organisers of the Home Hill Harvest Festival on the success of the festival which was held on 6 November 2021. The comments were supported by the other Councillors.

*10.14am- Mrs. Olsen left the meeting.*

## **12. CLOSED BUSINESS ITEMS**

## **13. DELEGATION**

### **13.1. Australian Citizenship Ceremony**

10.15am - Citizenship Ceremony - The Mayor officiated at the citizenship ceremony and the following Citizenship Candidates were confirmed as Australian Citizens:

Mr. Dominic Jose  
Miss. Aina Roca Olive  
Mrs. Cassie-Leigh Tanner  
Mr. Darren James Tanner  
Master Noah Wesley Tanner  
Mr. Gimhana Piyadarshana Gallage  
Miss. Jithennya Yasasvee Gallage  
Mrs. Iresha UYpendri Premasiri Nansodi Durayalage  
Father Sibichan Kaippanplackal

*10.45am - Meeting adjourned for Morning Tea.*

*11.10am - Meeting recommenced.*

There being no further business the meeting closed at 11.15am.

**These minutes were confirmed by Council at the Ordinary Council Meeting held on 23 November 2021.**

**MAYOR**

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